

No. 10636

1992.14

ABSTRACT OF TITLE To

That portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 27 North, Range 3 East W. M., described as follows:

Beginning at the southeast corner of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence north 5 $\frac{1}{3}$ rods; thence west 30 rods to true place of beginning; thence north 5 $\frac{1}{3}$ rods; thence east 15 rods; thence south 5 $\frac{1}{3}$ rods; thence west 15 rods to the place of beginning;
EXCEPT the west 15 feet for road.

Compiled by the

SNOHOMISH COUNTY ABSTRACT CO.

EVERETT, WASHINGTON

AGENT FOR

WASHINGTON TITLE INSURANCE CO.

A b s t r a c t o f T i t l e

T o.

The West Half (W $\frac{1}{2}$) of: Commencing at the south - east corner of the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section Twenty - five (25), Township Twenty-seven (27), North of Range Three (3) East W.M., thence north along the east line of said forty (40) acres for Five and one third (5 $\frac{1}{3}$) rods, thence west at left angles to said east line Thirty (30) rods, thence north at right angles for a distance of five and one third (5 $\frac{1}{3}$) rods, thence east at right angles for a distance of Thirty (30) rods to the east line of said forty (40) acres, thence south on said east line five and one-third (5 $\frac{1}{3}$) rods to the true place of beginning, less and except fifteen (15) feet off of the west side, situate in Snohomish County, Washington.

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ANDERSON GUARANTEE ABSTRACT COMPANY

Everett, Washington

Inst. No. 7

Office No. 7.

Department of the Interior

General Land Office.

Lewis A. Groff, Commissioner. A.

Dated June 18, 1890.

M., Geo. Chandler, Acting Secretary.

Filed Oct. 21, 1908, 2.26 P.M.

Vol. 8 Pats, page 21.

The tracts described in the following list have been carefully examined and are found to be free from conflicts and to inure to the State for the purposes indicated.

C. A. Keigwin, Examining Clerk.

J. J. Barnes, In charge of Congressional Grants.

List No. 20, exhibiting the tracts of public lands situated in the district of lands subject to sale at Seattle, Washington, which have been selected for the State of Washington, under the provisions of the 4th Section of the Act of Congress, approved July 17, 1854, entitled "An Act to amend the Act approved Sept. 27, 1850, etc.," and the Act approved Feb. 22, 1889, entitled, "An Act to provide for the division of Dakota, into two States, and to enable the people of North Dakota, South Dakota, Montana and Washington etc."

Date of Selection (also excepted by State,) Sep. 2, 1863.

Description of tracts, NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 R. 3 E. containing 40 acres.

Department of Interior, General Land Office,
Washington, D. C. June 30, 1890.

Sheet No. 2

It is hereby certified that the tracts described in the foregoing list are embraced in the original lists now on file in this office of lands selected in the Olympia, now Seattle land district, Washington, agreeably to the provisions of the section 4, of the Act of Congress approved July 17, 1854, (10 Stat. 305). above cited, and are a part of the lands authorized by said Act to be reserved for a University of the Territory of Washington, which are granted to the state of Washington, by the section 14, of the Act of Congress approved Feb. 22, 1889 (25 Stat. 676) above cited.

It is Further certified that said tracts have been carefully examined and compared with the Twp. plats and the tract books of this office and are found to be subject to selection and free from all conflicts.

It is further certified that the area of selections under this grant heretofore approved and certified for approval is 24,541.52 acres, and that the approval of the above last will leave a balance due the state of 1,238.79 acres.

It is therefore recommended that the foregoing list embracing tracts of an aggregate area of 20,299.69 acres be approved in part satisfaction of the grant for University purposes made by the above cited section 14, of the Act approved Feb. 22, 1889, such approval being subject to any valid interfering rights which may have existed at the date of selection.

3
Lewis A. Groff, Commissioner A. M.
Department of the Interior, Washing-

8 Pat. ---- 7 ----- 3.

ton D. C. July 2, 1890.

The foregoing lists embracing selections of an aggregate acre of 20,299.69 acres, is hereby approved subject to any valid interfering rights which may have existed at the date of the selection.

Geo. Chandler, Acting Secretary.

M. L. 200837

B.

M. F. H.

Department of the Interior General Land

Office, Washington D. C. May 26, 1908.

I hereby certify that the annexed copy of so much of list No. 20 for lands selected by the State of Washington, under Act of July 17, 1854, as relates to the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. R. 3 E.- at Seattle Washington, approved July 2, 1890, is a true and literal exemplification from the original in this office.

In testimony whereof I have hereunto subscribed my name and caused the seal of this office to be affixed, at the City of Washington, on the day and year above written.

(S e a l).

H. W. Sanford,

Recorder of the General Land
Office.

Inst. No. 3

Office No. 9.

G.

Department of the Interior

Dated Dec. 23, 1907

M.V.B.

General Land Office.

Filed Oct. 24, 1908, 8.15 A.M.

Vol. 8 Patents, page 22

Washington, D.C. Dec. 23, 1907

I hereby certify that the annexed extract transcrip of so much of approved list No. 20 of selections made by the State of Washington under its grant for University purpose as shows the approval to the State on July 2, 1890, of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27, N.R. 3 E.W.M., is a true and literal exemplification of said list as same appears of record in this office.

In Testimony Whereof I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington on the day and year first above written.

(Seal)

H.W. Sanford

R.S.C.

Recorder of General Land Office.

General Land Office

June 18, 1890.

The tracts described in the following list have been carefully examined, and are found to be free from conflicts and to inure to the State for the purposes indicated.

C.A. Keigwin, Examining Clerk.

J.J. Barnes,

In charge of Congressional grants.

List No. 20, exhibiting the tracts of public land situated in the district of lands subject to sale at Seattle, Washington.
Sheet No. 5

8 ---Patents----9---2.

ton, which have been selected for the State of Washington under the provisions of the fourth section Act of Congress approved July 17, 1854, entitled "An Act to Amend the Act approved Sept. 27, 1850, etc", and the Act approved Feb. 22, 1889, entitled "An act to provide for the division of Dakota into two States, and to enable the people of North Dakota, South Dakota, Montana & Washington, etc"

Date of Selection Sept. 2, 1863, No. of List 1, Description of Tracts, NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27, N.R. 3 E., area of tracts 40.

Dept. of the Interior.

General Land Office.

Washington, D.V. June 30, 1890

It is hereby certified that the tracts described in the foregoing list are embraced in original lists now on file in this office of Lands selected in the Olympic Land District (now Seattle,) by duly authorized agents of the Territory of Washington agreeably to the provisions of the section 4 of the Act of Congress approved July 17, 1854 (10 Stat. 305) above cited, and are a part of the lands authorized by said act to be reserved for a University in the Territory of Washington, which are granted to the state of Washington by the Section 14 of the act of Congress approved Feb. 22, 1889, (25 Stat. 676) above cited.

It is further certified that said tracts have been carefully examined and compared with the township plats and the tracts Sheet No. 6

books of this office, and are found to be subject to selection and free from conflicts.

It is further certified that the area of selections under this grant heretofore approved and certified for approval, is 24,541.52 acres and that the approval of the above list will leave a balance due the state of 1238.79 acres.

It is further recommended that the foregoing list embracing tracts of an aggregate area of 20,299.69 acres, be approved, in part satisfaction of the grant for University purposes made by the above cited of the act approved Feb. 22, 1889, such approval being subject to any valid interfering rights which may have existed at the date of selection.

Lewis A. Groff

Commissioner

A.M.

F.A.W.

Department of the Interior.

Washington D.C.

July 2, 1890.

The foregoing list, embracing selections of an aggregate area of 20,299.69 acres, is hereby approved subject to any valid interfering rights which may have existed at the date of selection.

Geo. Chandler.

Acting Secretary.

Inst. No. 4

Office No. 33.

W. T. Sayward.

Warranty Deed.

To

Dated Nov. 26, 1880.

W. P. Sayward.

Filed May 9, 1891, 9.31 a m.

Vol 18, Deeds, page 62.

Con. \$5000.

First party grants, bargains, sells, conveys and confirms unto
secon party, heirs and assigns, lands in Snohomish County, Washing-
ton Territory, described as:

SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 23 Twp. 27 N of R 3 E. SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec.
24 Twp. 27 N of R 3 E. NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26 Twp. 27 N of R 3 E.
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. ²⁵ Twp. 27 N of R 3 E.

Covenants of general warranty.

This deed is given to correct errors in a deed dated Aug. 17,
1880.

Ack. Nov. 26, 1880, before Vinton L. Mithhell, a Notary Public
in and for San Bernardino County, Cal. (Seal)
(Certificate of uniformity by the Clerk of said County)

8

Inst. No. 5

Office No. 266.

F. J. Burns.

Affidavit.

To

Filed Nov. 12, 1903, 10.12 a m.

The Public.

Vol. 19, Misc. page 513.

Affiant states that he was well acquainted with W. T. Sayward who owned the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26 Twp. 27 N of R 3 E. W. M. and knows that said W. T. Sayward never was a married man.

Subscribed and sworn to Aug. 12, 1903, before W. J. J. Roberst, a Notary Public in and for Washington, residing at Seattle. (Seal, Com. Ex. May 19, 1905)

Inst. No. 6

Office No. 59.

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
WASHINGTON TERRITORY, HOLDING TERMS AT PORT TOWNSEND.

Henry L. Blanchard, et al.

Judgment.

Plaintiff.

Dated: Dec. 5, 1881.

Vs.

Filed Dec. 29, 1881, 5.25 p m.

William T. Sayward.

Vol. 1, Judgments, page 61.

Defendant.

Recites that a judgment was had in said Court in favor of said plaintiffs and against the said defendant in the sum of \$750., and costs amounting to \$79.85 and that the lands held by a writ of attachment covered certain lands in Snohomish County, Washington, described as: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 23, and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 24, and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26, and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25 all in Twp. 27 N of R 3 E. W. 11. (and other lands)

That said lands should be sold to satisfy the said judgment and costs and increased costs in the making of said sale.

Appended is the certificate of the clerk of the said court and county clerk of Jefferson county, Washington Territory, to the effect that the foregoing is a true copy of said decree in said cause.

(Se 1 of said Court)

Sheet No. 10

Inst. No. 7

Office No. 2.

H. L. Blanchard, et al.
Plaintiffs.

Vs.

W. T. Sayward.
Defendant.

Execution.

Filed April 5, 1881.

Vol. 1, Writs of Att. page 2.

The amount of this execution is \$829.85 and affects lands in Snohomish County, Washington, described as:

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26, and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 24, all in Twp. 27 N of R 3 E. W. M.

Inst. No. 6

Office No. 74.

William Whitfield, as Sheriff of
Snohomish County, Washington Territory.

Sheriff's Deed.

To

Dated April 18, 1882.

Filed April 22, 1882, 11.05 a m.
Vol. 4 Deeds, page 119.

Cornelius H. Hanford.

Con. 274.80

Recites that whereas by virtue of a writ of execution issued out of and under the seal of the District Court of the Third Judicial District of said Territory holding terms at Port Townsend, tested Mch. 21, 1881, upon a judgment recovered in said Court on Mch. 5, 1881, in favor of Henry L. Blanchard, Chester H. Larrabee, Cornelius H. Hanford, and Orange Jacobs, and against William T. Sayward, to the said sheriff directed and delivered commanding him out of the personal property of said judgment debtor in his County to make certain moneys in said writ mentioned, and if sufficient personal property could not be found then out of the real property, not exempt by law, belonging to said judgment debtor, and

Whereas sufficient personal property could not be found to make the moneys in said writ mentioned, said sheriff did levy on all the right, title and interest of said judgment debtor in and to the premises hereinafter described, and

Whereas said sheriff did on May 14, 1881, at 1 o'clock P. M. after due and legal notice, sell at the front door of the Court House of said said County, all the right, title and interest of said judgment debtor in and to said premises to the second party herein, for the sum of \$274.80 that being the highest and best bid made therefor, and said sheriff issued to said purchaser a certificate of sale as required by law, and

Whereas said Court on Sept. 12, 1881, confirmed said sale, and whereas the time allowed by law for redemption of said premises has expired without such redemption having been made.

Now, therefore, first party, pursuant to the statutes in such cases made and provided and in consideration of the payment of said sum of money, the receipt of which is hereby acknowledged, grants, bargains, sells, conveys and confirms unto second party, heirs and assigns, lands in Snohomish County, Washington Territory, described as:

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26, and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 24, all in Twp. 27 N of R 3 E. W. M. containing 120 acres.

Ack. April 18, 1882, before G. Morris Haller, a Notary Public in and for King County, Washington Territory, by said Sheriff. (Seal)

Appended is the certificate of the Clerk of the said Court for Snohomish County, Washington Territory, to the effect that the foregoing deed was on April 22, 1882, presented to him for entry in his Book of Levies on real estate and that on said day he entered the same where the said levy is recorded. (Seal).

Sheet No. 12

Inst. No. 4

Office No. 136

Lot Wilbur, Treasurer of Snohomish
County, Washington Territory.

To

C. H. Hanford.

Tax Certificate.

Dated April 5, 1880.

Filed April 5, 1880.

Vol. 3, Deeds, page 303.

Con. \$20.14

Acknowledges the receipt of \$20.14 from C. H. Hanford for
lands in Snohomish County, Washington Territory, to wit:

NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26, and NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25,
and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 24 Twp. 27 N of R 3 E., assessed to

W. T. Saywood.

Said lands were sold for taxes at the annual de-
linquent tax sale.

Inst. No. 10

Office No. 96.

Cornelius H. Hanford, and

Warranty Deed.

Clara M. Hanford, his wife.

Dated Mch. 28, 1882.

to

Filed May 11, 1882, 7 A.M.

Etta E. Brackett.

Vol. 4 Deeds, page 159.

Con. \$350.

First party grants, bargains, sells and conveys unto second party, heirs and assigns lands in Snohomish County, Washington Territory, described as:-

NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, and NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 26 and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 24, all in Twp. 27 N of R 3 E containing 120 acres.

Covenants of general warranty.

Ack. Mch. 28, 1882, before H. E. Hathaway, Notary Public in and for King County, Washington Territory.

(Seal).

Wife examined separately.

14

Inst. N_o. 11

Office No. 46.

George Brackett, and Etta

Special Warranty Deed.

E. Brackett, his wife.

Dated Nov. 10, 1890.

to

Filed Feb. 19, 1891, 3.21 P.M

-----Woodfield, (single).

Vol. 16 Deeds, page 46.

Con. \$100.

First party grants, bargains, sells, conveys and confirms unto second party, heirs and assigns lands in Snohomish County, Washington, described as:-

Commencing at a point 5 1/3 rods North of the Southeast corner of the NW¹/₄ of NW¹/₄ of Sec. 25, Twp. 27 N. of R. 3 E.; thence running North 5 1/3 rods; thence at left angles West 30 rods; thence at left angles South 5 1/3 rods; thence at left angles East 30 rods to the place of beginning, containing 1 acre.

Covenants of general warranty against those claiming by, through or under grantors only.

Ack. Nov. 10, 1890, before Frank Ashcraft, Notary Public in and for Washington, residing at Edmonds.

(S e a l).

Sheet N_o. 15

Inst. No. 12

Office No. 86.

George Brackett and Etta

E. Brackett, his wife

to

E.D. Woodfield.

Warranty Deed

Dated April, 5, 1901.

Filed June 20, 1901, 10.a.m.

Vol. 62 Deeds, page 133.

Con. \$100.

First party grants, bargains, sells, conveys and confirms unto second party, heirs and assigns, lands in Snohomish County, Washington, described as:--

Commencing at a point 5 1-3 rods north of the southeast corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27, N.R. 3 E.W.M., thence running north 5 1-3 rods, thence at left angles west 30 rods, thence at left angles south 5 1-3 rods, thence at left angles East 30 rods to the place of beginning, containing 1 acre, more or less.

This is a deed of correction to take the place of that certain instrument made by the parties hereto, dated Nov. 10, 1890 and recorded in Vol. 16 page 46 Deeds, records of said County, wherein the grantee's name was not fully set out.

Covenants of general warranty.

Ack. Apr. 6, 1901, before William Brackett, Justice of the Peace in and for Snohomish County, Washington.

Sheet No. 16

13

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR SNOHOMISH
COUNTY.

Clarence D. Everton: Louis Lorenz:
Daniel M. Yost: Allen Yost: E.C.
Bristol: Mary E. Jones: Sarah
Milspaugh: Joseph Woodfield: E.D.
Woodfield: Alice M. Brown: Mary
Langrill: Flora M. Bartlett:
Nettie M. Bartlett: George P. Bartlett:
Hester Bartlett: Ella M. Warren, and
Henry H. Bertrand,
Plaintiffs.

No. 6583.

C o m p l a i n t

-VS-

The State of Washington,
Defendants.

Come now the plaintiffs and for their cause of action against
the defendant above named allege:

I

That in the year 1860 the Government of the United States re-
served to the Territory of Washington two townships of public land
for the purpose of constructing and maintaining a University in the
Territory of Washington.

II

That on January 11, 1861, the Legislative Assembly of the Terri-
tory of Washington passed an act entitled "An Act to provide for the
selection and location of the land reserved for university purposes;
to appoint a Board of Commissioners and provide for the selection

and location of a site for the territorial university". That by the terms of said Act Daniel Bagley, John Webster and Edmund Carr, were appointed a Board of University Commissioners with power to select and locate said lands reserved by Congress.

III

That on the 22d day of February, 1861, the said Board of University Commissioners met and organized by the election of Daniel Bagley as President of said Board and empowering him to select, locate and sell the lands reserved for territorial purposes.

IV

That on the first day of Sept. 1862, the Board of University Commissioners acting under the authority of said Act of said Legislative Assembly selected as part of the land reserved by the Territory of Washington for university purposes the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, township 27 North of Range 3 east, and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 24, township 27 North range 3 east, and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25, township 27 North range 3 east, situated in Snohomish County Territory of Washington.

V

That thereafter said commissioners acting under the authority aforesaid sold and conveyed the said described property to one W.F. Sayward at the price of \$1.50 per acre amounting to the sum of \$120... That said land was sold in good faith and the money therefor was paid to the said Board of University Commissioners and by them was used in the construction of the territorial university.

VI.

That said deed of conveyance was executed by Daniel Bagley, President, of the Board of University Commissioners, for and on behalf of said Board and was in such manner made, executed and delivered to the said W.T.Sayward conveying said above described property.

VII

That thereafter said W.Y. Sayward conveyed said property to W. P. Sayward and by mesne conveyances these plaintiffs have become possessed of said property in the quantity and amounts hereinafter described and are now the legal and bona fide holders and owners of the property respectively described as belonging to them being the successors in interest to the said W.T.Sayward the original purchaser of the Board of the Board of University Commissioners of the Territory of Washington.

VIII

That the said Clarence D. Everton is now the legal and bona fide holder and owner as successor in interest to the said W.T.Sayward of the following described property; the same being part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, township 27 North range 3 east: Commencing at the northwest corner of the NW $\frac{1}{4}$ of Section 25, township 27 north of range 3 east: thence running east 13 and a third rods; thence south six rods; thence west 13 and a third rods; thence north six rods to place of beginning, containing in all one-half acre.

IX.

That the said Louis Lorenz is the legal and bona fide holder and owner as successor in interest to said W.T.Sayward of the following Sheet No. 19

described property; Commencing at a point on the section line six rods south of the northwest corner of the NW $\frac{1}{4}$ of the section 25, township 27 north of range 3 east; thence running east forty rods; thence south fourteen rods; thence west forty rods; thence north fourteen rods to place of beginning, containing in all three and one-half acres.

X.

That the said Daniel M. Yost, is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property; Beginning at the section corner common to sections 23, 24, 25 and 26 of township 27 north of range 3 east; running thence east forty rods to the true place of beginning; thence south forty rods; thence east ten rods; thence north forty rods; thence west ten rods to the place of beginning.

IX

That the said Allen M. Yost is now the legal and bona fide holder and owner as successor in interest to said W. T. Sayward of the following described property; commencing at a point on the one-eighth line fifteen rods west of the southeast corner of the northwest quarter of the northwest quarter of section 25, township 27, north, range 3 east W.M.; thence running along the one-eighth line west fifteen rods; thence at right angles north five and one-third rods; thence at right angles east fifteen rods; thence at right angles south five and one-third rods to place of beginning, containing in all one-half acre.

XII

That E. C. Bristol is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property: Commencing at a point on the one-eighth line eighteen and two-thirds rods north of the southeast corner of the northwest quarter of the northwest quarter of section 25, township 27 north, of range 3 east W.M., which point is the true place of beginning and running thence north along the one-eighth line five and one-third rods; thence west thirty rods; thence south five and one-third rods; thence east thirty rods to the place of beginning, containing one acre more or less. Also commencing at the southwest corner of the land deeded by George Brackett and wife to Sarah Hilsbaugh; running east thirty rods; thence south sixteen rods; thence west thirty rods; thence north sixteen rods to the place of beginning, containing three acres.

XIII

That Mary E. Jones, is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property: Commencing at a point on the section line twenty-six and two-thirds rods east of the northwest corner of the northwest quarter of section 25, township 27, north of range 3 east: thence running east thirteen and one-third rods; thence south six rods; thence west thirteen and one-third rods; thence north six rods to place of beginning, containing one-half acre. Also lots numbered 15 and 16 in block 124 of the plat of the city of Edmunds as the same appears of record in the office of the county auditor of said Snohom-
Sheet No. 21

ish County, the same being part of the land described herein as purchased by W.T. Sayward.

XIV.

That the said Sarah Milspaugh is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property; Beginning at a point ten chains north and twelve and five-tenths chains east of the southwest corner of the northeast quarter of the northwest quarter of section 25, township 27 north range 3 east, and running thence north four chains; thence east seven and one-half chains; thence south four chains; thence west seven and one-half chains to the point of beginning, containing three acres.

XV

That the said Joseph Woodfield is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property; Commencing at a point on the one-eighth line ten and two-thirds rods north of the southeast corner of the northwest quarter of the northwest quarter of section 25, township 27, north range 3 east W.M.; thence running north along the one-eighth line eight rods; thence at left angles west thirty rods; thence at left angles south eight rods; thence at left angles east thirty rods to the place of beginning.

XVI

That the said E.D. Woodfield is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property; commencing at a point five and one-
Sheet No. 22

third rods north of the southeast corner of the northwest quarter of the northwest quarter of section 25, township 27, north, range 3 east W.M.; thence running north five and one-third rods; thence at left angles west thirty rods; thence at left angles south five and one-third rods; thence at left angles east thirty rods to the place of beginning, containing one acre more or less.

XVII

That the said Alice M. Brown, is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property; Commencing at a point set for the southwest corner of the northwest quarter of the northwest quarter of section 25, township 27, north of range 3 east; thence north sixteen rods; thence east at right angles forty-two rods; thence south at right angles sixteen rods; thence west at right angles forty-two rods; containing four and one-fifth acres more or less.

XVIII

That the said Mary Langrill is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property: Commencing at a point on the section line twenty rods south of the northwest corner of the northwest quarter of Section twenty-five, township 27, north range 3 east, W.M., thence running south along the section line twenty rods; thence at left angles east forty rods; thence at left angles north twenty rods; thence at left angles west forty rods to the place of beginning, containing in all five acres.

XIX

23 That the said Flora M. Bartlett, is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward

of the following described property: Commencing at a point thirty-two rods north of a post set for the southwest corner of the northwest quarter of the northwest quarter of section 25, township 27, north of range 3 east; thence east forty-two rods; thence south at right angles eight rods; thence west at right angles fortytwo rods; thence north at right angles eight rods to the place of beginning, containing two and one-tenth acres.

XX

That the said Nettie W. Bartlett is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property; commencing at a point forty rods north of the southwest corner of the northwest quarter of the northwest quarter of section 25, township 27 north range 3 east; thence east thirty-two rods; thence south eight rods; thence west thirty-two rods; thence north eight rods to the place of beginning.

XXI

That the said Hester Bartlett is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property; commencing at a point sixteen rods north from the post set for the southwest corner of the northwest quarter of the northwest quarter of section 25, township 27 north range 3 east; thence north eight rods; thence east at right angles fortytwo rods; thence south at right angles eight rods; thence west at right angles forty-two rods to the place of beginning, containing two acres be the same more or less.

That the said Ella M. Warren is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property, to-wit: Beginning at a post forty-two rods east and forty rods north of a post set for the southwest corner of the northwest quarter of the northwest quarter of section 25, township 27 north of range 3 east W.M.; thence west ten rods; thence south eight rods; thence east ten rods; thence north eight rods to the place of beginning, containing one-half acre. Also commencing at a point fifty rods east and thirty-two rods north of a post set for the southwest corner of the northwest quarter of the northwest quarter of section 25, township 27, north of range 3 east; running thence north eight rods; thence west at right angles eight rods; thence south at right angles eight rods; thence east at right angles eight rods containing sixty-four rods of land be the same more or less.

XXIII

That the said Henry N. Bertrand is the legal and bona fide holder and owner as successor in interest to the said W.T. Sayward of the following described property; Lots numbered 1, 2, 3, 4, and 5 in block 93 of the plat of the city of Edmunds; the same being part of the land purchased from the Board of University Commissioners by the said W.T. Sayward.

XXIV

That the said W.T. Sayward, having paid the full purchase price for said land as required by law for some reason unknown to plaintiffs herein had not been vested with the full and complete
Sheet No. 25

title thereto.

XXIV

That the said plaintiffs are the only persons in any way interested in the lands described in the complaint herein other than the defendant.

XXVI

That the description of said lands described in paragraph IV herein was duly approved by the Secretary of the Interior Department of the United States on July 2, 1890, and is known as List No. 1 University Land.

WHEREFORE plaintiffs pray that the title to the lands herein described as belonging to each of them may be quieted and confirmed in them and each of them and that the Commissioner of Public Lands be directed to issue a deed conveying to the respective plaintiffs property which they are now the legal and bona fide holders and owner of, and for such other and further relief as the premises may warrant.

Properly verified
Filed Sept. 1, 1903.

Attorney for plaintiffs.

D e m u r r e r :-Filed Sept. 1 1903;

Comes now the State of Washington defendant herein and enters this its general appearance and demurs to the complaint of the plaintiffs on the ground and for the reason that said complaint does not state facts sufficient to constitute a cause of action against the defendant and does not entitle the plaintiffs to the relief

sought or any relief whatever.

W. B. Strallen

and

C. C. Dalton attorneys for defendant.

Sheriffs return; filed Sept. 1, 1903:-

I. R. A. McClarty, Sheriff of Thurston County, State of Washington, do hereby certify that I received the annexed summons on the 24th day of Aug. 1903, that on the 29th day of Aug. 1903, I duly served the same on Governor McBride for the State of Washington he being defendant named therein, by delivering to and leaving with Governor McBride said defendant, personally, in said Thurston County, a copy of the said summons, and therewith a copy of the complaint in the action named in said summons.

Dated this 29th day of Aug. 1903,

A. R. McClarty

Sheriff of Thurston County, Wash.

Sheriffs fees:-service 60¢:- Mileage 20¢:-

S u m m o n s:-Filed Sept. 1, 1903:

THE STATE OF WASHINGTON TO THE SAID STATE OF WASHINGTON, defendant:

You are hereby summoned to appear within twenty days after the service of this summons upon you, exclusive of the day of service and defend the above entitled action in the Superior Court of the State of Washington for Snohomish County, aforesaid; and answer the complaint of the plaintiff and serve a copy of your answer upon the

undersigned attorney for plaintiff at his office below stated; and in case of your failure so to do judgment will be rendered against you according to the demand of the complaint, which will be filed with the clerk of said Court (a copy of which is herewith served up- on you.)

P. S. Griffith

Attorney for plaintiffs.

P. O. address, 405 Marion Building, Seattle, County of King, Washington.

Findings of fact Filed Sept. 1, 1903.

This cause coming on for hearing on this 1st day of Sept. 1903, the plaintiffs appearing herein by their attorney P. S. Griffith the defendant State of Washington, appearing by its attorneys W. B. Stratton Attorney General and C. C. Dalton Assistant Attorney General and the defendant having heretofore filed its demurrer herein to the complaint of the plaintiffs, and said demurrer having been by the court overruled, and the said defendant refusing to plead further, the court after hearing the testimony and other evidence of the plaintiffs, and being fully and duly advised in the premises makes the following findings of fact.

I

That in the year 1860 the Government of the United States reserved to the Territory two township of public land for the purpose of constructing and maintaining a University in the Territory of Washington.

(Here follows a literal copy of the Complaint as shown in the preceding paragraphs of this abstract down to and including all of paragraphs 26, as set forth in the said complaint. For reference to the remaining paragraphs of Findings of Fact, it is only necessary to see the said Complaint by the paragraphs numbers heretofore set out in this abstract. Following the said findings of fact by said paragraphs is the signature of the Judge of the said Court)

John C. Denney, Judge.

Conclusions of Law:

And as conclusions of law the court finds:

1. That each of the plaintiffs mentioned as present bona fide holders of and owners of the Lands described in the findings of fact as belonging to them is entitled to have the title to his said described property quieted and confirmed, and is entitled to have a decree quieting and confirming said title and to have the Commissioner of Public lands issue to them and each of them a deed conveying and confirming to them and each of them the land described herein as belonging to them and each of them.

John C. Denney,
Judge.

D e c r e e:-Sept. 1, 1903;-

This cause coming on for hearing on this 1st day of Sept. 1903, upon the motion of the plaintiffs by their counsel F.S. Griffith for a decree on the Findings of Fact and Conclusions of Law heretofore made by the court and entered herein; and it appearing to the court that a decree should be granted, and the court being fully and duly advised in the premises.

IT IS THEREFORE ORDERED, CONSIDERED AND DECREED that the title to the lands herein described be and the same hereby is quieted and confirmed, and the Commissioner of Public Lands is hereby directed to issue a deed to each of the plaintiffs granting and conveying and confirming in each of them the property in this decree described as belonging to each of them; that is to say, to the said Clarence D. Everton a deed conveying and confirming unto him the following described land, to-wit: commencing at the northwest corner of the NW $\frac{1}{4}$ of section 25, township 27 north of range 3 east; thence running east 13 and one third rods; thence south six rods; thence west 13 and one third rods; thence north six rods to the place of beginning, containing in all one half acre, being in NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25, township 27 north of range 3 east W.M., and to Louis Lorenz the following described property to-wit: commencing at a point on the section line six rods south of the northwest corner of the NW $\frac{1}{4}$ of section 25, township 27, north of range 3 east; thence running east forty rods; thence south fourteen rods; thence west forty rods; thence north fourteen rods to the place of beginning, containing in all three and one half acres, being in NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sheet No. 30

6583--18--

of section 25, township 27 north of range 3 east W.M.

And to Daniel M. Yost the following described property to wit; beginning at the section corner common to sections 23, 24, 25 and 26 of township 27 north of range 3 east; running thence east forty rods to the true place of beginning; thence south forty rods; thence east ten rods; thence ~~xxx~~ north forty rods; thence west ten rods to the place of beginning, being in NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25, township 27 north of range 3 east W.M.

to
And Allen M. Yost the following described property; commencing at a point on the one eighth line fifteen rods west of the southeast corner of the northwest quarter of the northwest quarter of section 25, township 27 north of range 3 east W.M.; thence running along the one-eighth line west fifteen rods; thence at right angles north five and one third rods; thence at right angles east fifteen rods; thence at right angles south five and one third rods to the place of beginning, containing in all one half acre, being in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25, township 27 north of range 3 east W.M.

And to E. C. Bristol the following described property, to-wit; commencing at a point on the one eighth line eighteen and two-thirds rods north of the southeast corner of the northwest quarter of the northwest quarter of section 25, township 27 north of range 3 east W.M., which point is the true place of beginning, and running thence north along the one eighth line five and one third rods; thence west thirty rods; thence south five and one third rods; thence east thirty rods to the place of beginning, containing one acre more or less, being in NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, township 27 North of Sheet No. 31

3 east W.M. Also commencing at the southwest corner of the land deeded by George Brackett and wife to Sarah Milsbaugh; running east thirty rods; thence south sixteen rods; thence west thirty rods; thence north sixteen rods to the place of beginning, containing three acres being in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25 township 27 north of range 3 east W.M.

And to Mary E. Jones the following described property: commencing at a point on the section line twenty six and two thirds rods ~~xx~~ east of the northwest corner of the northwest quarter of section 25 township 27 north, range 3 east; thence running east thirteen and one third rods; thence south six rods; thence west thirteen and one third rods; thence north six rods to the place of beginning; containing one half acre, being in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of section 25, township 27 north, range 3 east. Also lots numbered 15 and 16 in block 124 of the plat of the city of Edmonds, as the same appears of record in the office of the county auditor of said Snohomish County, Washington, being in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 26, township 27 north of range 3 east of W.M.

And to Sarah Milsbaugh the following described property; beginning at a point ten chains north and twelve and five tenths chains east of the south west corner of the north east quarter of the northwest quarter of Section 25, township 27 north of range 3 east, and running thence north four chains; thence east seven and one half chains, thence south four chains, thence west seven and one half chains to the point of beginning, containing three acres being the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 27 North of Range 3 East W.M.

32 And to Joseph Woodfield the following described property:

Commencing at a point on the eight one eighth line ten and two third rods north of the southeast corner of the northwest quarter of the northwest quarter of section 25, township 27 north of range 3 East W.M.; thence running north along the one eighth line eight rods; thence at left angles west thirty rods; thence at left angles south eight rods; thence at left angles east thirty rods to the place of beginning, being in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, township 27 North, range 3 east W.M.

And to E.D. Woodfield the following described property, commencing at a point five and one third rods north of the south east corner of the north west quarter of the northwest quarter of section 25 township 27 north of range 3 east W.M.; thence running north five and one third rods; thence at left angles west thirty rods; thence at left angles south five and one third rods; thence at left angles east thirty rods to the place of beginning; containing one acre more or less, being in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25, township 27 north, range 3 east W.M.

And to Alice M. Brown, the following described property; commencing at a post set for the south west corner of the northwest quarter of the north west quarter of section 25, township 27 north of range 3 east, thence north sixteen rods; thence east at right angles forty two rods; thence south at right angles sixteen rods; thence west at right angles forty two rods, containing four and one fifth acres more or less, being in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25, township 27 North of Range 3 East W.M.

And to Mary Langrill the following described property; commencing at a point on the section line twenty rods south of the north west corner of the north west quarter of section twenty five, township numbered twenty seven north of range three east W.M. thence running south along the section line twenty rods; thence at left angles east forty rods; thence at left angles north twenty rods; thence at left angles west forty rods to the place of beginning containing in all five acres, being in $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of section 25 township 27 North of Range 3 east W.M.

And to Flora M. Bartlett the following described property; commencing at a point thirty two rods north of a post set for the south west corner of the northwest quarter of the northwest quarter of section 25, township 27 north of range 3 east : thence east forty two rods; thence south at right angles eight rods; thence west at right angles forty two rods; thence ~~xxx~~ north at right angles eight rods to the place of beginning, cont., two and one tenth acres, being in the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of section 25, township 27 north of range 3 east W.M.

And to Nettie M. Bartlett the following described property; commencing at a point forty rods north of the southwest corner of the northwest quarter of the northwest quarter of section 25, township 27 north of range 3 east; thence east thirty two rods; thence south eight rods; thence west thirty-two rods; thence north eight rods to the place of beginning, being in $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of section 25, township 27, north of range 3 east W.M.

And to Hester Bartlett the following described property;
 commencing at a point sixteen rods north from the post set for the
 southwest corner of the northwest quarter of the northwest quarter
 of section 25 township 27 north of range 3 east; thence north
 eight rods; thence east at right angles forty-two rods; thence south
 at right angles eight rods; thence west at right angles forty-two
 rods to the place of beginning, containing two acres be the same more
 or less, being in NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, township 27 north
 range 3 east W.M.

And to Ella M. Warren, the following described property, to-wit;
 beginning at a post forty-two rods east and forty rods north of a
 post set for the southwest corner of the northwest quarter of the
 northwest quarter of section 25, township 27 north of range 3 east
 W.M.; thence west ten rods; thence south eight rods; thence east
 ten rods; thence north eight rods to the place of beginning, con-
 taining one half acre, being in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25,
 township 27 north of range 3 east W.M. Also commencing at a point
 fifty rods east and thirty-two rods north of a post set for the
 southwest corner of the north west quarter of the northwest quarter
 of section 25 township 27 north of range 3 east; running thence north
 eight rods; thence west at right angles eight rods; thence south at
 right angles eight rods; thence east at right angles eight rods,
 containing sixty-four rods of land be the same more or less, being in
 NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25, township 27, north of range 3 east W.M.

6583--21--

And to Henry H. Bertrand, the following described property
lots numbered 1,2,3,4 and 5 in block 93 of the plat of the city of
Edmonds, Snohomish County, Washington, being in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of sec-
tion 26 township 27 north, range 3 east W.R.

Done in open court this 1st day of Sept. 1903.

John C. Denney,

J u d g e.

Inst. No. 14

Office No. 239.

State of Washington, By S. A.

Deed.

Callvert, Commissioner of

Dated Sept. 8, 1903.

Public Lands.

Filed Oct. 5, 1903, 2.31 P.M.

to

Vol. 79 Deeds, page 320.

E. D. Woodfield.

Con. Decree of Superior Court
of Snohomish County, Washington

First party grants, bargains, sells and conveys unto second party heirs and assigns lands in Snohomish County, Washington, described as:

Commencing at a point $5 \frac{1}{3}$ rods North of the Southeast corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. R. 3 E. W.M.; thence running North $5 \frac{1}{3}$ rods; thence at left angles West 30 rods; thence at left angles South $5 \frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning, containing 1 acre, more or less, being in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. R. 3 E. W.M.

Witness the Seal of the Commissioner of Public Lands affixed
this 8th day of Sept. 1903.

(S e a l).

S. A. Callvert,
Commissioner of Public
Lands.

State Record of Deeds,

Volume 2 page 16.

Sheet No. 37

Inst. No. 15

Office No 472.

Ed Woodfield, single.

Mortgage.

To

Dated June 5, 1894.

Harry Kyle.

Filed June 19, 1894, 9.20 a.m.

Vol. 24 Mtgs. page 474.

This mortgage secures the payment of \$150. --- evidenced by said first party's promissory note of even date herewith, with interest at 1 per cent per month and payable to the order of Harry Kyle.

Mortgages lands in Snohomish county, Washington, described as:

All of the $W\frac{1}{2}$ of a parcel of land commencing at a point 5 1-3 rods north of the southeast corner of $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 25, Twp. 27, N.R. 3 E.W.M., thence running north 5 1/3 rods, thence at left angles, west 30 rods; thence at left angles south 5 1-3 rods; thence at left angles 30 rods to place of beginning.

First party agrees to pay all taxes, assessments and insurance charges.

On default in payment of principal or interest as provided by said note said lands may be sold according to law.

Ack. June 5, 1894, before A. M. Prichard, Notary Public in and for Washington, residing at Edmonds.

(Seal Com. Ex. April 8, 1895).

Sheet No. 38

Inst. No. 16

Office No. 128.

E. D. Woodfield, and Emma M.

Warranty Deed.

Woodfield, his wife.

Dated Sept. 27, 1904.

to

Filed Feb. 2, 1905, 10.34 A.M

Rebecca D. Hathaway.

Vol. 93 Deeds, page 128.

Con. \$900.

First party grants, bargains, sells, conveys and confirms unto second party, heirs and assigns lands in Snohomish County, Washington described as:-

The $W\frac{1}{2}$ of a certain tract of land described as follows:

Commencing at a point $5\frac{1}{3}$ rods North of the Southeast corner of the $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 25, Twp. 27 N. R. 3 E of W.M.; thence running North $5\frac{1}{3}$ rods, thence at left angles West 30 rods; thence at left angles South $5\frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning, excepting 15 feet on the West side of said tract used for street purposes, said tract containing $\frac{1}{2}$ acre, more or less.

Covenants of general warranty.

Ack. Sept. 27, 1904, before S. F. Street, Notary Public in and for Washington, residing at Edmonds.

(Seal, Com. Ex. Nov. 19, 1907).

Sheet No. 39

Inst. No. 17

Office No.

38

Rebecca D. Hathaway and James E. Mortgage

Hathaway, her husband.

Dated Feb. 16, 1905.

to

Filed Feb. 17, 1905, 10.25 a.m.

John Darragh

Vol. 55 Mtgs., page 38

This mortgage secures the payment of \$100. evidenced by said first party's promissory note of even date herewith, bearing interest at 10 per cent per annum.

Mortgages lands in Snohomish County, Washington, described as:--

W $\frac{1}{2}$ of a tract described as:-- Commencing at a point 5 1-3 rods north of the southeast corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27, N.R. 3 E.W.M., thence running North 5 1-3 rods, thence at left angle west 30 rods, thence at left angle south 5 1-3 rods, thence at left angles east 30 rods to place of beginning, except 15 feet on west side of said tract used for street purposes, containing one half acre, more or less.

First party agrees to pay all taxes, assessments and insurance charges. On default in payment of principal or interest as provided by said note said land may be sold according to law.

Ack. Feb. 16, 1905, before S. F. Street, Notary Public in and for Washington, residing at Edmonds.

(Seal Com. Ex. Nov. 19, 1907).

Sheet No. 40

Inst. No. 18

Office No. 615.

James E. Hathaway and Rebecca

Mortgage.

D. Hathaway, his wife.

Dated Oct. 16, 1906.

to

Filed Oct. 16, 1906, 11.25 a.m.

Henry L. Place.

Vol. 55 Mtgs., page 615.

This mortgage secures the payment of \$200. , evidenced by one certain promissory note of even date herewith, bearing interest at 10 per cent per annum until due.

Mortgages lands in Snohomish County, Washington, described as:

The West half of a certain tract of land described as follows: Commencing at a point 5 1-3 rods north of the southeast corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27, N.R. 3 E.W.M.

Thence running north 5 1-3 rods, thence at left angles west 30 rods, thence at left angles south 5 1-3 rods, thence at left angles east 30 rods to place of beginning, except 15 feet on west side of said tract used for street purposes containing one half acre, more or less.

First party agrees to pay all taxes, assessments and insurance charges. On default in payment of principal or interest as provided by said note, said land may be sold according to law.

Ack. Oct. 16, 1906, before S.F. Street, Notary Public in and for Washington, residing at Edmonds.
(Seal Com. Ex. Nov. 19, 1909).

Sheet No. 41

Inst. No. 19

Office No. 227.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR
SNOHOMISH COUNTY.

Edmonds Water Company, a corporation, Lis Pendens.
Petitioner.

Vs.

Filed Sept. 14, 1901, 2.45 p m.

Allen H. York, and Jane Doe, his wife, E. C. Bristoe, and Jane Doe, his wife, Joseph Woodfield, and Jane Doe, his wife, Wm. Plummer, and Jane Doe, his wife, Elc ra Bartlett and John Doe, her husband, Nellie H. Bartlett, and John Doe, her husband, S. Mathershead and Jane Doe, his wife, Lous Lorinz and Jane Doe, his wife, the Puget Sound Machinery Depot, a corporation, Marie Hamlin, and John Doe, her husband, and Penn. Iron & Steel Company, a corporation, Respondents.

The object of this action is to condemn and appropriate the water of Yost Creek beginning at a point in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25 Twp. 27 N of R 3 E. W. H. and take the water of said Creek over across and through the N $\frac{1}{2}$ of N $\frac{1}{2}$ of Sec. 26 and Lot 3 of Sec. 25 in said Twp. 27 N of R 3 E. W. H.

20

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE
COUNTY OF SNOHOMISH.

Edmonds Water Company, a corporation,
Petitioner.

-VS-

Allen M. Yost and Jane Doe Yost, (whose true
Christian name is unknown), his wife: Joseph
Woodfield and Jane Doe Woodfield, (whose true
Christian name is unknown), his wife: E. C.
Bristol and Jane Doe Bristol, (whose true
Christian name is unknown, his wife: William
Plummer and Jane Doe Plummer (whose true
Christian name is unknown,) his wife; Flora
Bartlett, and John Doe Bartlett, (whose true
Christian name is unknown) her husband: Nellie
M. Bartlett and John Doe Bartlett, (whose true
Christian name is unknown) her husband;
S. Mothershead, and Jane Doe Mothershead,
(whose true Christian name is unknown) his
wife: Louis Lorenz and Jane Doe Lorenz (whose
true Christian name is unknown) his wife:
The Puget Sound Machinery Depot, a corporation,
Marie Hamlin and John Doe Hamlin, (whose true
Christian name is unknown) her husband: and
Pennsylvania Iron & Steel Company, a corporation
Respondents.

No. 5514.

P e t i t i o n

To the Honorable John C. Denney, Judge of the above entitled Court:

Your petitioner the Edmonds Water Company, represents to your
Honorable Court as Follows:-

I

That the Edmonds Water Company is a corporation duly and legally incorporated under the laws of the State of Washington, and has complied with the laws of the said State relative to domestic corporations; that all of its capital stock has heretofore been duly subscribed, and it has constructed water works and is now engaged in supplying water to the inhabitants of the Town of Edmonds, in Snohomish County, Washington, for the purposes of general, domestic city and manufacturing purposes.

II

That the respondents Allen M. Yost and Jane Doe Yost (whose true Christian name is unknown) are husband and wife:

III

That the respondents Joseph Woodfield and Jane Doe Woodfield (whose true Christian name is unknown) are husband and wife.

IV

That E.C. Bristol and Jane Doe Bristol (whose true Christian name is unknown) are husband and wife.

V

That William Plummer and Jane Doe Plummer (whose true Christian name is unknown) are husband and wife.

VI

That Flora Bartlett and John Doe Bartlett (whose true Christian name is unknown) are wife and husband.

VII

That Nellie M. Bartlett and John Doe Bartlett, (whose true Christian name is unknown) are wife and husband.

VIII

That S. Mothershead and Jane Doe Mothershead, (whose true Christian name is unknown) are husband and wife.

IX

That Louis Lorenz and Jane Doe Lorenz, (whose true Christian name is unknown) are husband and wife.

X

That the Puget Sound Machinery Depot is a corporation organized and existing under the laws of the State of Washington.

XI

That Marie Hamlin and John Doe Hamlin (whose true Christian name is unknown) are wife and husband.

XII

That the Pennsylvania Iron and Steel Company is a corporation organized under the laws of the State of Washington.

XIII

Your petitioner desires to condemn the right to divert the waters of what is known as "Yost Creek", from a point in the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of section 25, township 27, north of range 3 east W.M., taking from said Creek and turning into the mains and pipes of this petitioner, a sufficient amount of water to supply a portion of the Town of Edmonds, with water and fire protection. The exact amount of water that will be necessary for such purposes your petitioner is not at Sheet No. 45

present able to give. The above named respondents are all lower riparian proprietors along the course of the said stream.

XIV

Your petitioner will not seriously diminish the amount of water in said stream, but will leave therein a sufficient amount for all agricultural or domestic purposes of the lower riparian proprietors.

XV

The use for which said property is desired is really a public use and the public require the prosecution of the enterprise of your petitioner. Your petitioner has been unable to agree with the owners of said property either as to the necessity of use or as to the value of the same, which renders it necessary to appeal to your Honorable Court for relief.

WHEREFORE, Your petitioner prays that your Honorable Court will enter a decree for the appropriation of said property for the uses and purposes for which the same is desired, and may decree that public interests require the prosecution of said enterprise, and that the purposes for which your petitioner desires said property is really a public use, and such other matters, facts and things as the law authorizes.

And your petitioner further prays that a Jury may be empaneled to ascertain the compensation to be paid in money, irrespective of any benefit from any improvement proposed by your petitioner, and that said Jury may further award any damages which may result to the

5614--5--

respondents herein named and for the taking of said property and for the injuriously affecting any adjacent lands owned by the respondents; or, in case a Jury be waived as in other civil courts of record in the manner prescribed by law, then that the compensation to be made, as aforesaid, be ascertained or determined by the court or judge thereof, and that your petitioner may have such further relief as the law allows.

F. H. Brownell,

Attorney for petitioner.

Inst. No. 21

Office No. 350.

D. M. Yost, and Julia R. Yost, his wife. Quit-claim Deed.
L.P. Arp and Maud Arp, his wife,
Oscar Millsbaugh and Sarah Millsbaugh, Dated July 31, 1901.
his wife, Adelbert Warren, and Ella
Warren, his wife, E.C. Bristol and Filed Aug. 16, 1901, 8.16 a.m.
Aurie J. Bristol, his wife, George
Brackett and Etta E. Brackett, his Vol. 56 Deeds, page 596.
wife, Joseph Woodfield and Lodema
Woodfield, his wife, Edward Woodfield, and Con. \$1.00
and Emma M. Woodfield, his wife, A.M.
Yost, and Amanda C. Yost, his wife,
L.L. Austin and Mary L. Austin, his
wife.

to

The City of Edmonds, a Municipal
Corporation.

First party conveys and quit-claims unto second party,
lands in Snohomish County, Washington, described as:--

Beginning at the Section corner common to Sections 23, 24,
25 and 26, Twp. 27, N.R. 3 E. thence east 50 rods to true point of
beginning; thence west 15 feet; thence south 80 rods; thence east
30 feet, thence north 80 rods; thence west 15 feet to true place of
beginning, for the uses and purposes of a public highway .

Lodema A. Woodfield
Ed. Woodfield
Emma A. Woodfield
George Brackett
Etta E. Brackett
L.L. Austin
Mary L. Austin
Daniel M. Yost
Julia R. Yost.

Allen M. Yost
Amanda C. Yost
L.P. Arp.
Maud Arp
O.F. Millsbaugh
Sarah Millsbaugh
Adelbert Warren
Ella Warren
E.C. Bristol
A.J. Bristol
Joseph Woodfield

Ack. ----- before S.F. Street, Notary Public in and for

Sheet No. 48

No. 56D----350----2.

Washington, residing at Edmonds, by D.M. Yost, and wife ,L.P. Arp,
and wife,Oscar Millspaugh and wife , Auelbert Warren and wife,
E.C. Bristol and wife, George Brackett and Etta C. Brackett,his
wife, Joseph Woodfield and Lodena Woodfield ,husbandand wife,
Edward Woodfield and wife, A.M. Yost and wife, and L.L. Austin and
wife.

(Seal Com. Ex. Nov. 19,1903).

Inst. No. 22

Office No. 112.

Russell Mowat, and Ethel Mowat, his wife, Nettie M. Bartlett and E.F. Bartlett, her husband, Louis Lorenz, Phebe M. Reynolds, W.H. Schumacher, and Lillian Schumacher, his wife, Geo. P. Bartlett, and Hester Bartlett, his wife, Alice M. Jones and S.M. Jones, her husband.

Quit-claim Deed.

Dated July -----1905

Filed Nov. 24, 1905, 2.43 p.m.

Vol. 89 Deeds, page 123.

Con. \$1.00

to

Town of Edmonds.

First party releases, remises and quit-claims unto second party, its heirs and assigns, lands in Snohomish County, Washington, described as:--

Commencing at the section corner of sections 23 and 25, 24 and 26 in Twp. 27, N.R. 3 E.W.M., thence east 30 feet, thence south 1320 feet, thence west 30 feet, to the 8th corner between sections 25 and 26, thence north to place of beginning, being a strip of land 30 feet wide on the west side of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27, N.R. 3 E.W.M., for road purposes and when not so used the said lands to revert to said first party herein.

Ack. Nov. 2, 1905, before F. L. Brown, Notary Public in and for Washington, residing at Edmonds.

(Seal Com. Ex. Sept. 30, 1908).

Sheet No. 50

TOWNSHIP -27-

Scale 1" = 100'

D.M. Yost

57

23

This blue print is
added in order to assist
in locating the lands
shown in this Abstract
and the lands joining
said tract, in order to show
said boundaries are added
after this print.

TOWNSHIP -27-

RANGE -2-

Scale 1" = 100'

Russell Mowat

Christian H. Engel

MARY E JONES

D. M. Yost

LOUIS LORENZ

W. T. Lopp

LOUIS P. ARP

Phoebe M. Reynolds

Margaret Begley

SARAH MILLSAUGH

NETTIE M. BARTLETT

J. S. Taylor

W. H. Schumacher

G. A. Thompson

ALICE M. BROWN

MARY HALE

Emma Howell Erben

Zaphar Howell 3rd

Rebecca D. Halfway

Zaphar Howell 3rd

A. M. YOST

H. L. Place

Inst. No. 24

Office No. 306.

George Brackett and Etta

E. Brackett, his wife.

to

Henry Kottman.

Warranty Deed.

Dated Jan. 16, 1891.

Filed Feb. 2, 1891, 3.55 p.m.

Vol. 14 Deeds, page 306.

Con. \$62.50.

First party grants, bargains, sells, conveys and confirms unto second party, heirs and assigns lands in Snohomish County, Washington, described as:-

Commencing at the Southeast corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. R. 3 E., run thence west along the quarter line 15 rods; thence at right angles north 5 1-3 rods; thence at right angles east 15 rods; thence at right angles south 5 1-3 rods to the place of beginning, containing one half acre.

Covenants of general warranty against those claiming any interest through grantors.

Ack. Jan. ---, 1891, before Frank Ashcraft, Notary Public in and for Washington, residing at Edmonds.

(S e a l).

Sheet No. 59

Inst. No. 25

Office No. 262.

George Brackett and Etta

Special Warranty Deed.

E. Brackett, his wife.

Dated Dec. 17, 1890.

to

Filed Jan. 28, 1891, 8.55 a.m.

Allen M. Yost.

Vol. 14 Deeds, page 262.

Con. \$62.

First party grants, bargains, sells, conveys and confirms unto second party, heirs and assigns, lands in Snohomish County, Washington, described as:

Commencing at a point and the one eighth line 15 rods W of the Southeast corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. of R. 3 E. thence running along the 1/8th line 15 rods west; thence at right angles north 5 1-3 rods; thence at right angles east 15 rods; thence at right angles south 5 1-3 rods to the place of beginning, containing in all $\frac{1}{4}$ acre.

Covenants of general warranty against those claiming any interest through grantors.

Ack. Dec. 17, 1890, before Frank Ashcraft, Notary Public in and for Washington, residing at Edmonds.

(S e a l).

Sheet No. 53

Inst. No 26

Office No. 274.

State of Washington, By S. A.
Callvert, Commissioner of Public
Lands.

to
Allen M. Yost.

Deed.

Dated Sept. 8, 1903.

Filed Oct. 5, 1903, 2.32 P.M.

Vol. 80 Deeds, page 355.

Con. Decree of Superior Court
of Snohomish County, Washington

First party grants, bargains, sells and conveys unto second
party heirs and assigns lands in Snohomish County, Washington, desc-
ribed as:-

Commencing at a point on the 1/8th line 15 rods West of the
Southeast corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. R. 3 E. W.M
thence running along the 1/8th line West 15 rods, thence at right
angles North 5 1/3 rods; thence at right angles East 15 rods; thence
at right angles South 5 1/3 rods to the place of beginning, containing
in all one half acre, being in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N.
R. 3 E. W.M.

Witness the Seal of the Commissioner of Public Lands affixed
this 8th day of Sept. 1903.

S. A. Callvert, comm-
issioner of Public Lands.

(S e a l).

State Record of Deeds, Volume 2, page 11.

Sheet N. 54

Inst. No. 27

Office No. 45.

George Brackett and Etta

Special Warranty Deed.

E. Brackett, his wife.

Dated Sept. 1, 1890.

to

Filed Feb. 19, 1891, 3.20 P.M.

Joseph Woodfield.

Vol. 16 Deeds, page 45.

Con. \$150.

First party grants, bargains, sells, conveys and confirms unto second party, heirs and assigns lands in Snohomish County, Washington, described as:-

Commencing at a point on the 1/8 line, 10 and 2/3 rods North of the Southeast corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. of R. 3 E.; thence North along the 1/8th line 8 rods at left angles West 30 rods; thence at left angles South 8 rods; thence at left angles East 30 rods to the place of beginning.

Covenants of general warranty against those claiming, by, through or under grantors only.

Ack. Oct. 8, 1890, before Frank Ashcraft, Notary Public in and for Washington, residing at Edmonds.

(S e a l).

Sheet No. 55

Inst. No. 28

Office No. 272.

State of Washington, By S. A.

Deed.

Callvert, Commissioner of

Dated Sept. 8, 1903.

Public Lands.

Filed Oct. 15, 1903, 2.29 P.M.

to

Vol. 80 Deeds, page 354.

Joseph Woodfield.

Con. Decree of Superior Court

of Snohomish County, Washington.

First party grants, bargains, sells and conveys unto second party, heirs and assigns lands in Snohomish County, Washington, described as:-

Commencing at a point on the one eighth line 10 $\frac{2}{3}$ rods North of the Southeast corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. R. 3 E. W.M.; thence running North along the one eighth line 8 rods, thence at left angles westerly 30 rods; thence at left angles South 8 rods, thence at left angle east 30 rods to the place of beginning, being in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 25, Twp. 27 N. R. 3 E. W.M.

Witness the Seal of the Commissioner of Public Lands affixed this 8th day of Sept. 1903.

(S e a l).

State Record of Deeds, Volume 2, page 15.

Sheet No. 56

- - - Certificate - - -

We hereby certify that the foregoing Abstract of Title, comprising instruments numbered one to 28 consecutively, and consisting of 56 sheets, shows all instruments filed or recorded in the office of the County Auditor of Snohomish County, Washington, and all proceedings had in any Court of record holding terms in said County affecting the title to the following described real property, to wit:-

The West Half ($W\frac{1}{2}$) of, Commencing at the southeast corner of the Northwest quarter ($NW\frac{1}{4}$) of the Northwest quarter ($NW\frac{1}{4}$) of Section Twenty-five (25), Township Twenty seven (27), North of Range Three (3) East W.M., thence north along the east line of said Forty (40) acres for Five and one-third ($5\frac{1}{3}$) rods, thence west at left angles to said east line Thirty (30) rods, thence north at right angles for a distance of Five and one-third ($5\frac{1}{3}$) rods, thence east at right angles for a distance of Thirty (30) rods to the east line of said Forty (40) acres, thence south on said east line five and one-third ($5\frac{1}{3}$) rods to the true place of beginning, less and except Fifteen (15) feet off of the west side, situate in Snohomish County, Washington.

Except any and all public highways, or railroad right of way, if any there be, now located over and across said above described lands.

We further certify that there are no unsatisfied judgments against any grantee named in the within abstract affecting the title to said lands, as shown by the Judgment Dockets of the Superior Court of the State of Washington in and for Snohomish County, in the office of the Clerk thereof.

We further certify that there are no due and delinquent taxes on said premises, or unredeemed sales thereof for delinquent taxes shown by the tax rolls of said Snohomish County in the office of the County Treasurer thereof.

(Except any personal taxes due or to become due for the year 1909)

This certificate is up to this Third (3rd) day of December, Nineteen Hundred and Nine (1909) at Eight (8) o'clock A.M.

4455

ANDERSON GUARANTEE ABSTRACT COMPANY.

57

Theodore Anderson
By

Inst No 29

Office No 314

Henry L. Place ,

to

James E. Hathaway and

Rebecca D. Hathaway--

R e l e a s e .

Dated Nov 26 1909.

Filed Dec 7 1909 8:33AM.

Vol 76 Mtgs, page 414

Cons \$200.

Certifies that a mortgage executed by second party to first party herein, to secure the payment of \$200. dated-- and recorded in vol 55 Mtgs, page 615 records of Snohomish County, Washington, described as;

The $W\frac{1}{2}$ of a certain tract of land described as;
Commencing at a point $5\frac{1}{3}$ rods north of the southeast corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of sec 25 Twp. 27 N of R 3 E W.M., thence run north $5\frac{1}{3}$ rods, thence at left angles west 30 rods, thence at left angles south $5\frac{1}{3}$ rods, thence at left angles east 30 rods to the place of beginning, except 15 feet on west side of said tract used for street purposes, containing $\frac{1}{2}$ acres, more or less, is paid and satisfied.

Ack Nov 26 1909 before S.F. Street Notary Public in and for Washington, residing at Edmonds.

(Seal com px Nov 19 1911)

Sheet No 48

Inst No

30

Office No 315

John Darragh,

to

Rebecca D.Hathaway and

James E.Hathaway--

R e l e a s e.

Dated Oct 18 1906

Filed Dec 7 1909 8:34 AM.

Vol 76 Mtgs,page 415.

Certifies that a mortgage executed by second party to first party herein, dated Feb 16th 1905 and rec. in Vol 55 of Mtgs,page 38 records of Snohomish County,Washington,described as;

The $W\frac{1}{2}$ of a certain tract of land described as; Commencing at a point $5\frac{1}{3}$ rods north of the Southeast corner of $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec 25 Twp. 27 N of R 3 E W.M., thence running north $5\frac{1}{3}$ rods thence at left angles west 30 rods,thence at left angles south $5\frac{1}{3}$ rods thence at left angles east 30 rods to the place of beginning,except 15 feet on west side of tract tract used for street purposes containing $\frac{1}{2}$ acre more or less, is paid and satisfied.

Ack Oct 18 1906 before S.T.Street Notary Public in and for Washington,residing at Edmonds.

(Seal com Ex Nov 19 1907)

Sheet No

59

Inst No 31

Office No 313

Rebecca D. Hathaway, and
James E. Hathaway, her husband,
to
O.C. Sorensen.

M o r t g a g e.
Dated Dec 6 1909.
Filed Dec 7 1909 8:35 AM.
Vol 76 Mtgs, page 416.

Mortgages lands situated in Snohomish county, Washington, described as;

The $W\frac{1}{2}$ of a certain tract of land described as; commencing at a point $5\frac{1}{3}$ rods north of the southeast corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of sec 25 Twp. 27 N of R 3 E W.M., thence running north $5\frac{1}{3}$ rods, thence at left angles west 30 rods, thence at left angles south $5\frac{1}{3}$ rods, thence at left angles east 30 rods to place of beginning, except 15 feet on west side of said tract used for street purposes said tract containing $\frac{1}{2}$ acre, more or less.

To secure the payment of \$400.00.

Properly executed.

Sheet No 60

Inst No. 32

Office No 482

O.C.Sorensen,

to

Rebecca D.Hathaway and

James E.Hathaway--

R e l e a s e .

Dated Nov 18 1911.

Filed Dec 14 1911 1:15 PM.

Vol 86 Mtgs,page 405.

Certifies that a mortgage executed by second party to first party herein, dated Dec 6 1909 and rec. in vol 76 Mtgs,page 416 records of Snohomish county, is paid and satisfied.

Ack Nov 18 1911 before Zophar Howell 3rd Notary Public in and for Washington,residing at Edmonds.

(Seal Com Ex Oct 30 1914)

Sheet No 61

Inst No ³³

Office No 142

Rebecca D. Hathaway and
James E. Hathaway, her husband,
to
O.C. Sorensen.

M o r t g a g e.
dated Nov 18 1911.
filed Nov 20 1911 8:19 AM.
Vol 87 Mtgs, page 124.

This mortgage secures the payment of \$500. due Nov 18 1914 from date hereof, evidenced by one certain promissory note of even date herewith, bearing interest at 8% per annum until paid.

Mortgages lands in Snohomish County, Washington, described as; the $W\frac{1}{2}$ of a certain tract of land particularly described as; Commencing at a point $5\frac{1}{3}$ rods north of the southeast corner of $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of sec 25, Twp. 27 N of R 3 E W.M., thence running north $5\frac{1}{3}$ rods, thence at left angles west 30 rods; thence at left angles south $5\frac{1}{3}$ rods, thence at left angles east 30 rods to place of beginning, except 15 feet on west side of said tract used for street purposes. said tract containing $\frac{1}{2}$ acre more or less.

First party agrees to keep insured in favor of said mortgagee the said premises against fire in the sum of \$500.

Ack Nov 18 1911 before Zophar Howell 3rd Notary Public in and for Washington, residing at Edmonds.

She et No ⁶² (Seal com mX Oct 30 1914)

- - - Certificate of Continuation - - -

We hereby certify that we have added to the foregoing abstract of title instruments numbered 24 to 22 consisting of 2 sheets, and the same shows all instruments filed or recorded in the office of the County Auditor of Snohomish County, Washington, and all proceedings had in any Court of record holding terms in said County affecting the title to the following described real property, to-wit:

The West half of, Commencing at the southeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25, Township Twenty Seven North of range Three East of the Willamette Meridian; thence north along the east line of said 40 acres for 5 $\frac{1}{3}$ rods; thence west at left angles to said east line 30 rods; thence north at right angles for a distance of 5 $\frac{1}{3}$ rods, thence east at right angles for a distance of 30 rods to the east line of said 40 acres, thence south on said east line 5 $\frac{1}{3}$ rods to true place of beginning, less and except 15 feet off of the west side, situate in Snohomish county, Washington.

We further certify that there are no unsatisfied judgments entered against any grantee named in the within abstract affecting the title to the said property, as shown by the judgment indices of the Superior Court of the State of Washington, in and for Snohomish County, since December 3rd, 1909 at eight o'clock A.M., to date of this certificate.

We further certify that there are no taxes coming due on said premises, or unredeemed sales thereof for delinquent taxes shown by the official tax rolls of said County in the office of the Treasurer thereof, since December 3rd. Nineteen Hundred and Nine at eight o'clock A.M., to date of this certificate.

(Except any personal taxes due or to become due for the year 1918)

We do not certify as to any taxes or assessments for local improvements on said property shown by the records of the city of Edmonds.

All since the date of the last preceding certificate, to-wit: December 3rd. 1909 at 8 o'clock A.M. to and including this Twenty-Third day of October Nineteen Hundred and eighteen at eight o'clock A.M.

ANDERSON GUARANTEE ABSTRACT COMPANY.

BY

Theodore Anderson

13673

63

Inst. No. ³⁴

O. C. Sorensen,

to

Rebecca D. Hathaway and James E.

Hathaway, wife and husband.

Office No. 256.

Release

Dated Feb. 5th, 1919

Filed Feb. 7, 1919, 1:20 P.M.

Vol. 103 Mortgages, page 335.

Consideration \$ ---

Certifies that a mortgage executed by second party to first party herein to secure the payment of \$500.00 dated --- and recorded in Vol. 87 mortgages, page 124, records of Snohomish County, Washington, and described lands as:-

Thw $W\frac{1}{2}$ of a certain tract of land particularly described as follows: Commencing at a point $5\frac{1}{3}$ rods North of the SE corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 25, Township 27, N. R. 3 E.W.M., thence running North $5\frac{1}{3}$ rods; thence at left angles West 30 rods; thence at left angles South $5\frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning; except 15 feet on the West side of said tract/^{used}for street purposes, said tract containing $\frac{1}{2}$ acre, more or less.

situated in Snohomish County, Washington, is fully paid, satisfied and discharged.

Ack. Feb. 5th, 1919 before Edward L. Turner, Notary Public in and for Washington residing at Edmonds.

Not no.

(Seal, Com. Ex. March 25, 1919.)

64

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR SNOHOMISH
COUNTY.

In the Matter of the Estate)
35 of)
Rebecca Hathaway, Deceased.)

No. 4299

PETITION FOR LETTERS OF ADMINISTRATION FILED NOV 11 1918

Comes now James E. Hathaway, surviving husband of Rebecca Hathaway, deceased, and respectfully shows to the court and petitions as follows:

-1-

That Rebecca Hathaway, deceased wife of petitioner, departed this life on the 30th day of September, 1918, intestate, and leaving a small estate consisting of real property located in the City of Edmonds, Snohomish County, Wash.

-2-

That all of said property consists of a community estate existing between petitioner and said deceased and that there are no heirs entitled to any interest in and to said estate save and except petitioner. That no children survive said deceased.

-3-

That in order to perfect petitioner's title to said property and estate it is necessary that letters of administration be issued upon the estate of said deceased Rebecca Hathaway.

WHEREFORE , petitioner prays the court for the issuance of
sheet no 65

letters of administration to him upon the estate of said Rebecca Hathaway, deceased.

E.L. Turner,
Attorney for Petitioner.

(Properly Verified.)

ORDER APPOINTING ADMINISTRATOR FILED NOV 11, 1918

(Appoints James E. Hathaway administrator of the estate of Rebecca Hathaway, upon his taking ^{the} / oath required by law and filing a bond in the sum of \$500.00)

LIST OF HEIRS FILED NOV 13, 1918

Name	Relationship	Address.
James E. Hathaway	Husband	Edmonds, Wash.

BOND OF ADMINISTRATOR FILED NOV 21 1918

(Said bond being a surety bond in the sum of \$500.00)

ORDER APPOINTING APPRAISERS FILED NOV 29 1918

Letters having been granted to James E. Hathaway, upon the estate of Rebecca Hathaway, deceased late of Edmonds, Snohomish County, Wash., it is now ordered by the Court here that S.F. Street, W.H. Otto, and J.T. McElroy, all residents of Edmonds, Snohomish County, Wash., three suitable and disinterested persons competent to act, be and they are hereby appointed as appraisers upon the estate of the said Rebecca Hathaway, deceased.

Done in open Court this 29th day of November, 1918.

Ralph C. Bell, JUDGE

NOTICE TO STATE BOARD OF TAX COMMISSIONERS FILED DEC 6 1918

Notice to State Board of Tax Commissioners:

The undersigned appraisers of the Estate of Rebecca Hathaway, deceased, will meet at the office of E.L. Turner, attorney for said Estate, in Room 109 Beeson Building in the city of Edmonds, Wn., on Dec 9, 1918 for the purpose of appraising said Estate.

Dated Edmonds, Snohomish Co. Washington, Dec 2, 1918.

S.F. Street
J.T. McElroy
W.H. Otto

Appraisers of said Estate.

by E.L. Turner
Attorney for said estate.

Received the above notice this 4th - of Dec 1918.

State Tax Commissioner
By Geo. G. Hannan
Assistant State Tax Commissioner.

AFFIDAVIT FILED DEC 14 1918

State of Washington)
ss
County of Snohomish)

James E. Hathaway being first duly sworn upon his oath, deposes and says: That he is the duly appointed, qualified and acting administrator of the estate of his deceased wife, Rebecca Hathaway, and as such makes this affidavit for the purpose of obtaining from the above entitled court the issuance of an order dispensing with the usual publication of notice to creditors. That at the time of the death of said Rebecca Hathaway,
sheet no 67

she owned no debts of any kind or nature and that affiant has personally paid all debts contracted on account of the last illness, death, and burial of said deceased. That affiant is the sole and only heir of deceased, and that the value of said estate does not exceed \$750.00.

James E. Hathaway

Subscribed and sworn to before me this 29th day of November, 1918.

Edward L. Turner
Notary Public in and for the State of
Washington, residing at Edmonds.

(Seal, Com. Ex. Mar 25, 1919)

ORDER DISPENSING WITH NOTICE TO CREDITORS FILED DEC 14, 1918

This cause coming regularly before the court for hearing upon the application of James E. Hathaway, administrator of the estate of his deceased wife, Rebecca Hathaway, for the entry of an order in the above entitled matter dispensing with the usual publication of notice to creditors and it appearing to the court from an examination of the files and records herein and more particularly from the affidavit of said administrator that said administrator and husband of said deceased is ^{by law} entitled to inherit all of her said estate and that all of the expenses of the last illness, death, and burial of said deceased have been paid and that said deceased owed no debts at the time of her demise, and the court being fully advised in the premises.,

It is here and now ordered that the publication of the usual notice to creditors in the above entitled matter be dispensed with and it is hereby adjudged that the publication of such notice, by reason of the premises, is unnecessary.

67

Done in open Court this 14 day of December, 1918.

Guy C. Alston, Judge.

INVENTORY AND APPRAISEMENT FILED DEC 14 1918

REAL ESTATE

The W $\frac{1}{2}$ of a certain tract of land particularly described as follows:
Commencing at a point 5 $\frac{1}{3}$ rods North of the Southeast corner of the
NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Twp. 27 N.R. 3 E.W.M. thence running North
5 $\frac{1}{3}$ rods; thence at left angles west 30 rods; thence at left angles
South 5 $\frac{1}{3}$ rods, thence at left angles East 30 rods to the place of
beginning, except fifteen feet, on the West side of said tract used for
Street purposes, said tract containing one half acre more or less. \$750.00
above

The/property and appraised price subject to a mortgage
given as security for a note in the sum of \$500.00 and accrued interest
by deceased, Rebecca Hathaway and James E. Hathaway, her surviving husband
to O.C. Sorenson of Edmonds, Wash. said note being dated Nov 18, 1911,
payable three years after date with interest @ 8% per annum. Also subject
to the one-half community interest in and to said property of James E.
Hathaway, surviving husband of said deceased.

(No personal property.)

Total valuation of personal Estate	\$ None
Total valuation of Real Estate	\$750.00
Total valuation of Estate's equity	\$125.00

OATH OF APPRAISERS FILED DEC 14 1918

County of Snohomish, ss
sheet no. 69

4299--6

S.F. Street, W.H. Otto, and J.T. McElroy, being first duly sworn, on oath, each for himself says: That he will truly, honestly and impartially appraise the property of said estate which shall be exhibited to him, to the best of his knowledge and ability.

S.F. Street
W.H. Otto
J.T. McElroy

Subscribed and sworn to before me this 9th day of December, 1918.

Edward L. Turner,
Notary Public in and for the State of Wash-
ington, residing at Edmonds.

(Seal, Com. Ex. Mar 25 1919)

LETTER FILED DEC 14, 1918

Mr. Edward L. Turner
109 Beeson Building,
Edmonds, Washington.

Dec. 10, 1918.

Dear Sir:-

We acknowledge receipt of your letter December 9, 1918 with enclosed copy of appraisement for the above estate and thank you for your attention in this matter.

Very truly yours,
Geo. G. Hannan
Assistant Tax Commissioner.

GGH/CS

PETITION TO SELL REAL ESTATE FILED DEC 14 1918

Comes now James E. Hathaway, administrator of the estate of his deceased wife, Rebecca Hathaway, and respectfully shows the court and sheet no 70

petitions as follows:

-1-

That the inventory and appraisement of the above entitled estate shows one item of real property particularly described therein and located in Edmonds, Wash, which was occupied by petitioner and deceased at the time of her death as a home as of the value of \$750.00 subject however to a mortgage of \$500.00 and the community interest of petitioner therein which would make the net equity of the estate the sum of about one hundred and twenty-five dollars.

-2-

That said mortgage was given as security for the payment of a note dated Nov. 18, 1911, payable three years after date with interest at the rate of eight per cent per annum; that the interest on the same has been paid by petitioner up to Nov 18, 1918; that said note is past due and demand has been made for the payment of the principal thereof and petitioner personally and the above estate are unable to liquidate said obligation unless the property above mentioned is sold.

-3-

That said note and mortgage is a bona fide obligation of petitioner and said deceased, Rebecca Hathaway, and it is necessary to sell the property above noted in order to pay the same.

Wherefore, petitioner prays the court for an order authorizing him to sell said property at private sale in accordance with the laws of the state of Washington.

E.L. Turner,
Attorney for Administrator.

(Properly Verified)

ORDER AUTHORIZING SALE OF REAL ESTATE FILED DEC 14, 1918

This matter coming regularly before the court for hearing upon the petition of James E. Hathaway, administrator of the estate of Rebecca Hathaway, deceased, praying the court for the entry of an order herein authorizing him to sell at private sale certain real property described in the inventory on file herein, and the court having examined said petition and heard and received evidence in support of the allegations contained in said petition to the effect that the sale of said property is necessary in order to liquidate the obligations of the estate, and the court being fully advised in the premises,

It is here and now ordered and adjudged that James E. Hathaway administrator of the estate of Rebecca Hathaway, deceased, be, and he is hereby authorized and directed to sell at private sale the real estate belonging to said estate, or its interest therein, said property being ^{filed} fully and particularly described in the inventory/herein.

It is further ordered that said administrator give due and legal notice of said sale as required by statute and make proper return of his doings in said matter.

Done in open court this 14 day of December, 1918.

Guy C. Alston, Judge.

NOTICE OF SALE OF REAL ESTATE FILED DEC 17, 1918

(See printer's copy)

AFFIDAVIT OF POSTING NOTICES FILED DEC 17, 1918

sheet no 79

4299--9

State of Washington,
County of Snohomish,^{ss}

E.L. Turner being first duly sworn upon his oath, deposes and says: That he is the attorney of record for the administrator of the above entitled estate and as such has had full and complete prosecution of said matter. That affiant personally posted notices of the sale of real estate in the above matter, a copy of which is attached hereto, at three public places in said county on the 14th day of December, 1918, at the court-house entrance in Everett, Wash., at the city hall entrance in Everett, Wash., and in the post-office in Edmonds, Wash.

E.L. Turner.

Subscribed and sworn to before me this 16th day of December, 1918.

S.F. Street,
Notary Public in and for the State of
Washington, residing at Edmonds.

AFFIDAVIT OF PUBLICATION FILED JAN 9, 1919

State of Washington)
County of Snohomish)^{ss}

Oscar Grace, being first duly sworn, says: That he is the publisher of the Edmonds Tribune-Review, a weekly newspaper printed and published in the City of Edmonds, County of Snohomish, State of Washington, and that said newspaper, during all times mentioned herein, is and was a newspaper published once a week as a weekly newspaper and is and was a newspaper sheet no 73

of general circulation in said County and State: That the attached is a true and correct copy of Notice of Sale of Real Estate, as the same was published in the regular and entire issue of said Edmonds Tribune-Review, and not in supplement form thereof, for a period of 4 successive weeks, the date of first publication being the 13 day of Dec 1918, and the date of the last publication being the 3 day of Jan , 1919, and that said newspaper was regularly issued and distributed to its subscribers during all of said period.

Oscar Grace

Subscribed and sworn to before me, this 8th day of January 1919.

Edward L. Turner,
Notary Public in and for the State of Washington,
residing at Edmonds.

(Seal, Com. Ex. Mar 25, 1919)

IN THE SUPERIOR COURT OF THE State of Washington, for Snohomish County.
In the matter of the estate of Rebecca Hathaway, Deceased. No. 4299,
Notice of the Sale of Real Estate.

Notice is hereby given that the undersigned administrator of the estate of Rebecca Hathaway, deceased, will, on Monday, January 6, 1919, at the hour of 10 o'clock A.M., in accordance with the order of the above entitled court, and at the place of business of said administrator as stated below, sell at private sale on terms of cash, certain property belonging to the above entitled estate and particularly described as follows, said property being located in the City of Edmonds, Snohomish County, Washington.

A one-half or community interest in and to the West half of a certain
sheet no 74

4299--11

tract of land particularly described as follows: Commencing at a point five and one-third rods North of the Southeast corner of the Northwest quarter of the Northwest quarter of Sec. 25, Twp 27, N.R. 3 E.W.M.; thence running North five and one-third rods; thence at left angles West 30 rods; thence at left angles South five and one-third rods, thence at left angles East 30 rods to the place of beginning, except fifteen feet on the West side of said tract used for street purposes, said tract containing one-half acre, more or less.

The terms of said sale are cash and bids in writing only will be received by said administrator up to and including said date of sale.

JAMES E HATHAWAY,
Administrator of the Estate of Rebecca
Hathaway, Deceased.
Business Address, 109 Beeson Bldg;
Edmonds, Snohomish County, Washington.

E.L. TURNER, Attorney for Administrator, 109 Beeson Building, Edmonds, Snohomish County, Wash.

RETURN OF ADMINISTRATOR ON SALE OF REAL ESTATE FILED JAN 10 1919

Comes now James E. Hathaway, administrator of the estate of Rebecca Hathaway, deceased, and herewith presents a report of his doings in regard to the sale of that/certain parcel of real estate belonging to said estate directed to be sold by order of the court filed herein December ____ 1918, which real estate is particularly described as follows:

The West $\frac{1}{2}$ of a certain tract of land particularly described as follows: Commencing at a point $5 \frac{1}{3}$ rods North of the Southeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 25, Twp 27 N.R. 3 East W.M. thence running North $5 \frac{1}{3}$ rods; thence at left angles West 30 rods, thence at left angles south $5 \frac{1}{3}$ rods; thence at left angles East 30 rods to the place

sheet no 79

of beginning, except 15 feet on the West side of said tract used for street purposes, said tract containing one-half acre, more or less

That in accordance with the order of the court said administrator advertised for bids for said property in the Tribune-Review of Edmonds, Wash., for 3 successive weeks as is evidenced by the affidavit of the publisher of said paper on file herein and that in addition thereto notices of said sale were posted at the court-house and city-hall in the city of Everett, Wash, and in the post-office in the city of Edmonds, Wash, over 15 days prior to the date of said sale as is evidenced by the affidavit of E.L. Turner, on file herein.

That in response to said advertisements said administrator has received but one bid for said property which is a bid from P.E. Bacon of Edmonds, Wash, which bid is attached hereto and which offers to purchase said property, including the rights of James E. Hathaway, and Rebecca Hathaway, husband and wife, for the sum of \$750.00 or in lieu thereof to assume the mortgage now a lien on said property and paying to said administrator in cash the value of the equity therein.

That said bid is the appraised price of said property and said administrator represents to the court that the sale of said property is necessary for the proper administration of said estate.

WHEREFORE, said administrator petitions the court to allow him to accept said bid and for an order ^{of} the court authorizing and directing him to execute a deed to said purchaser for the property above mentioned.

E.L. Turner

Attorney for Administrator.

76

(Properly Verified)

BID FILED JAN 10 1918

Edmonds, Wash., Dec. 27, 1918.

To James E. Hathaway, Esq.,
Personally & as Administrator
of the estate of Rebecca Hathaway, Deceased.

Dear Sir:

I hereby offer you the sum of Seven Hundred and Fifty (\$750.00) dollars cash for yours and your deceased wife's property located in Edmonds, Wash., and advertised for sale by you as administrator of the estate of Rebecca Hathaway, deceased, which property is particularly described as:

The West half of a certain tract of land particularly described as follows: Commencing at a point five and one-third rods North of the Southeast corner of the Northwest quarter of the Northwest quarter of Sec.25, Twp 27 N.R. 3 East W.M., thence running North $5 \frac{1}{3}$ rods, thence at left angles West 30 rods, thence at left angles south $5 \frac{1}{3}$ rods, thence at left angles East 30 rods to the place of beginning, except 15 feet on the West side of said tract used for street purposes, said tract containing one-half acre, more or less.

or I will assume the mortgage on said property which I understand is of the principal sum of \$500.00 and accrued interest and pay you the amount of equity remaining in cash.

Yours very truly

P.E.Bacon

sheet no 77

ORDER CONFIRMING SALE OF REAL ESTATE: FILED JAN 23 1919

this matter coming regularly before the court upon the application of James E. Hathaway, administrator of the estate of Rebecca Hathaway, deceased, for an order of the court confirming the sale of certain real estate made by said administrator to P.E. Bacon of Edmonds, Wash., in accordance with the orders of the court heretofore entered, and it appearing from an examination of the files and records of this matter that said sale has been properly and regularly conducted and that the return of said administrator regarding said sale has been filed and that more than ten days has elapsed since the filing of said return of sale, and the court being fully advised in the premises,

It is here and now ordered, adjudged, and decreed, that the sale by James E. Hathaway, administrator of the estate of Rebecca Hathaway, deceased, of that certain real property belonging to said estate and particularly described as

"a one-half, or community interest, in and to the West half of a certain tract of land particularly described as follows: Commencing at a point five and one-third rods North of the SE corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 25, Twp 27 N.R. 3 East W.M. thence running North 5 $\frac{1}{3}$ rods; thence at left angles West 30 rods; thence at left angles South 5 $\frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning, except fifteen feet on the West side of said tract used for street purposes, said tract containing one-half acre, more or less."

to P.E. Bacon of Edmonds, Snohomish County, Wash, be, and the same is hereby confirmed and declared regular and said administrator is hereby authorized, ordered and directed to execute to said purchaser a good and sufficient deed conveying all the right, title and interest of said estate in and to said property, upon the payment to him of the sum of Seven Hundred Fifty (\$750.00) Dollars in cash. (RCB)

sheet no 78

Done in open Court this 23 day of January, 1919.

Ralph C. Bell, Judge

FINAL REPORT AND PETITION OF ADMINISTRATOR FILED FEB 13 1919

(See Decree)

ORDER DIRECTING NOTICE FILED FEB 13, 1919

James E. Hathaway, administrator of the above entitled estate having filed herein his final report of his doings in said matter and petitioned the court to approve said report and close the above estate,

It is here and now ordered that said report and petition be heard on Saturday, the fifteenth day of March, 1919, and that previous to said hearing said administrator shall give notice of said hearing by publishing a notice of the same at least once each week for three successive weeks prior to said date in the Tribune-Review, a weekly newspaper published in Edmonds, Snohomish County, Wash, and by posting notices of said hearing at the court-house and city hall in Everett, Wash., and in the post-office at Edmonds, Wash., at least fifteen days prior to said date of hearing.

Done in open court this 13th day of February, 1919.

Ralph C. Bell, Judge.

AFFIDAVIT OF POSTING NOTICES FILED FEB 15, 1919

State of Washington)

ss

County of Snohomish)

E.L. Turner being first duly sworn upon his oath, deposes and says: That he is the attorney ^{of record} for the administrator of the above sheet no 79

entitled estate, James E. Hathaway, and as such has had full and complete charge of the prosecution of said matter. That he did, on the 15th day of February, 1919, post true and correct copies of the attached notice of hearing final report and petition in said matter in the post-office at Edmonds, Wash, and at the entrances to the court-house and city-hall in Everett, Wash.

E.L.Turner

Subscribed and sworn to before me this 15th day of February, 1919.

S.F.Street,
Notary Public in and for the State of
Washington, residing at Edmonds.

(Seal, Com.Ex. Nov 19, 1919)

NOTICE OF HEARING FINAL REPORT, ETC FILED FEB 15, 1919

(See printer's Copy)

AFFIDAVIT OF PUBLICATION FILED MAR 15, 1919

State of Washington,) ^{ss}
County of Snohomish,)

Minnie Grace , being first duly sworn, says: That he is publisher of the Tribune-Review, a weekly newspaper, printed and published in the City of Edmonds, County of Snohomish, State of Washington, and that said newspaper , during all times mentioned herein, is, and was a newspaper published once a week as a weekly newspaper and is, and for six months prior thereto was a newspaper of general circulation in said County and State: That the attached is a true and correct copy of Notice of Final Hearing as the same was published in the regular and entire issue of said sheet no 80

Edmonds Tribune-Review, and not in a supplement form thereof for a period of 3 successive weeks, the date of the first publication being the 21 day of February, 1919, and the date of the last publication being the 7 day of March 1919, and that said newspaper was regularly issued and distributed to its subscribers during all of said period .

Minnie Grace.

Subscribed and sworn to before me this 13th day of March 1919.

Edward L. Turner,

Notary Public in and for Snohomish County,
residing at Edmonds.

(Seal, Com. Ex. Mar. 25, 1919.)

IN THE SUPERIOR COURT OF THE State of Washington for the County of Snohomish.

In the matter of the estate of Rebekah Hahtaway, deceased.

No. 4299.

NOTICE OF HEARING FINAL REPORT, ETC.

Notice is hereby given by the undersigned administrator of the above entitled estate that said administrator has filed in the above court his final report of his administration of said estate and has petitioned the above court to settle and approve the same and distribute the property of said estate according to law and discharge said administrator and close said estate; that the above court has entered an order herein setting said report and petition for hearing on the 15th day of March 1919, at the hour of 9:30 a.m., in department No. 1, of said court at the court house at Everett, Washington, and all persons having objections to offer to said report and petition are hereby notified to be present at said time and place.

81

JAMES E. HATHAWAY,

Administrator of the estate of Rebecca Hathaway, Deceased.

E. L. TURNER,

Attorney for Administrator,
109 Beeson Building,
Edmonds, Snohomish County, Wash.

ORDER APPROVING FINAL REPORT, ETC: Filed March 15, 1919.

This matter coming before the court for hearing upon the petition of James E. Hathaway, administrator of the estate of Rebecca Hathaway, deceased, requesting the court to approve and allow his final report herein and to order distribution of the funds in the possession of said administrator, and it appearing to the court from an examination of the files and records herein and more particularly from the sworn testimony adduced before the court in support of the allegations of said petition that the assets of said estate consisted solely of a community or one-half interest in and to certain real property described in said final report the net value of the equity therein belonging to said estate amounting to \$80.84 and that said administrator has advanced all the costs of administration to date out of his personal funds; that the attorney for said administrator remains unpaid, and that all the expenses of the last illness, death, and burial of said deceased have been paid, and that the funds now in the hands of said administrator are only sufficient to reimburse him for advances made herein and for the payment of his attorney; that said administrator is the surviving husband of said deceased and the sole heir at law of her estate and is therefore entitled to have distributed to him any balance remaining,

82

Now, therefore, in consideration of the premises, it is here and now ordered and adjudged that the final report of James E. Hathaway, administrator of the estate of Rebecca Hathaway, deceased, be, and the same is hereby approved and allowed; it is further ordered that said administrator pay to E.L. Turner, his attorney of record herein for services rendered the sum of \$35.00 and that the balance of cash remaining in the hands of said administrator be retained by him as reimbursement for costs of administration advanced and as the surviving heir of said deceased, Rebecca Hathaway. It is further ordered that this estate be closed and the administrator discharged and his bond exonerated upon his filing with the clerk of the court receipts showing the distribution of the funds in his hands according to this order.

Done in open court this 15th. day of March, 1919.

Ralph C. Bell,
Judge.

LETTERS OF ADMINISTRATION: Filed in Vol. "C" L. of A. Page 279.

(Recites that Rebecca Hathaway died on or about September 30, 19-8, and that by proceedings had in the above entitled cause James E. Hathaway was appointed administrator of the said estate by Guy C. Alston, on November 22, 1918.

Appended to the foregoing is the oath of the said administrator Subscribed and sworn to on November 9, 1918, before Edward L. Turner, Notary Public in and for Washington, residing at Edmonds.)

83

Inst. No. ³⁶

Office No. 69.

James E. Hathaway, Administrator of the
estate of Rebecca Hathaway, deceased,

Deed

to

Dated Jan. 30th, 1919

P. E. Bacon.

Filed Feb. 7, 1919, 1:16 P.M.

Vol. 185 Deeds, page 30.
50¢ revenue stamps cancelled.

Witnesseth: That, Whereas, The said party of the first part, as administrator of the estate of the said Rebecca Hathaway, deceased, by appointment of the Superior Court of the County of Snohomish and State of Washington, sitting in probate, was by said Court, authorized and directed to sell at private sale the real estate hereinafter described and conveyed, by its order and decree, dated the -- day of December, 1918, and made upon the application of said administrator and after due notice of such application, made and given for the time in the manner prescribed by law.

And, Whereas, thereafter, to-wit: On the 6th day of January, 1919, the said administrator did, after due notice of such sale for the time and in the manner prescribed by law, sell to the said party of the second part the real estate hereinafter described and conveyed, at the price and sum of \$375. that being the best price and highest sum and bid that could be obtained therefor.

And, Whereas, thereafter to-wit: On the --- day of January, 1919, a return of said sale was made unto said Court under oath by the said administrator showing his actions and the proceedings in and about the advertising and making of said sale, which proceedings were thereafter, to-wit: On the --- day of January, 1919, examined by said Court, and it appeared to the Court that said sale was legally made and fairly conducted, and sheet no. ⁸⁴

185 Deeds, page 30-2.

the sum bid was not disproportionate to the value of the property sold, and an order and decree of said court was then entered in all respects, approving and confirming said sale, and directing a conveyance of the property so sold to be made and executed to the said party of the second part upon payment of the purchase price thereof;

Now, Therefore, In consideration of the premises and of the authority in me vested as such administrator and of the sum of \$375.00 Dollars to me in hand paid as the purchase price in full of said property so sold, I as administrator of the estate of the said Rebecca Hathaway, deceased, do by these presents, grant, bargain, sells, convey and confirm unto the said party of the second part, and to his heirs and assigns, all the following described tract, parcel, or lot of land, situate, lying and being in the County of Snohomish and State of Washington, and particularly bounded and described as follows, to-wit:

A one-half or community interest, in and to the $W\frac{1}{2}$ of a certain tract of land particularly described as follows: Commencing at a point 5 and $\frac{1}{3}$ rods North of the SE corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 26, Township 27, N. R. 3 E. W.M., thence running North 5 and $\frac{1}{3}$ rods; thence at left angles West 30 rods; thence at left angles South 5 and $\frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning, except 15 feet on the West side of said tract used for street purposes, said tract containing $\frac{1}{2}$ acre, more or less., together with the appurtenances, to have and to hold the same unto said party of the second part and to his heirs and assigns forever, together with all the right, title, estate and interest held or owned in said premises by the said Rebecca Hathaway at the time of her death.

sheet no. 75

Ack. January 30th, 1919, before Edward L. Turner, Notary Public,
in and for Washington, residing at Edmonds in said County by above named
administrator, in the capacity and for the uses and purposes therein
mentioned.

(Seal, Com. Ex. March 23, 1919.)

Inst. No. 37

Office No. 19.

James E. Hathaway, widower,

to

P. E. Bacon.

Warranty Deed

Dated Jan. 30th, 1919

Filed Feb. 7, 1919, 1:17 P.M.

Vol. 185 Deeds, page 31.

Consideration \$375.00

50¢ revenue stamps cancelled.

First party conveys and warrants to second party, lands in Snohomish County, Washington, described as:

A one-half, or community interest in and to the $W\frac{1}{2}$ of a certain tract of land particularly described as follows: Commencing at a point 5 and $\frac{1}{3}$ rods North of the SE corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 25, Township 27, N. R. 3 E.W.M., thence running North 5 and $\frac{1}{3}$ rods; thence at left angles West 30 rods; thence at left angles South 5 and $\frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning, except 15 feet on the West side of said tract used for street purposes, said tract containing $\frac{1}{2}$ acre, more or less.

Ack. January 30th, 1919, before Edward L. Turner, Notary Public, in and for Washington, residing at Edmonds.

(Seal, Com. Ex. March 25, 1919.)

sheet no. 87

Inst. No. 38

P. E. Bacon and Susie Bacon,
husband and wife,
to
O. C. Sorensen.

Office No. 253

Mortgage

Dated Feb. 5th, 1919

Filed Feb. 7th, 1919, 1:18 P.M.

Vol. 103 Mortgages, page 333.

Mortgages lands in Snohomish County, Washington, described as:
West half of the following tract:

Commencing at a point five and one-third rods North of the SE corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 27, N. R. 3 E. W.M., thence running North 5 $\frac{1}{3}$ rods; thence at left angles West 30 rods thence at left angles South 5 $\frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning except 15 feet on the West side of said tract used for Street purposes said tract containing $\frac{1}{2}$ acre, more or less.

to secure the payment of Five Hundred Dollars, (\$500.00)

Properly Executed.

sheet no . 48

Inst. No. 39

Office No. 631.

P. E. Bacon and Susie Bacon, husband and wife,

Mortgage

Dated Sept. 29, 1919

to

Filed Oct. 3, 1919, 8:48 A.M.

O. C. Sorensen.

Vol. 105 Mortgages, page 623.

Mortgages lands in Snohomish County, Washington, described as:-

The $W\frac{1}{2}$ of a certain Tract of land, particularly described as follows:

Commencing at a point $5\frac{1}{3}$ rods North of the SE corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 25, Township 27, N. R. 3 E. of W.M., thence running North $5\frac{1}{3}$ rods; thence at left angles West 30 rods; thence at left angles South $5\frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning, except 15 feet on the West side of said tract used for street purposes, said tract containing $\frac{1}{2}$ acre more or less.

to secure the payment of Four Hundred (400) Dollars.

Properly Executed.

sheet no. 89

Inst. No. 40

O. C. Sorensen,

to

P. E. Bacon and Susie Bacon,

Office No. 252.

Release

Dated Feb. 6, 1922

Filed Feb. 23, 1922, 9:42 A.M.

Vol. 133 Mortgages, page 402.

Consideration \$.

Certifies that a mortgage executed by Second Party to First Party herein to secure the payment of \$500.00 dated February 5, 1919, and recorded in Vol. 103 of mortgages, page 333, records of Snohomish County, Washington, and describes lands as:-

The $W\frac{1}{2}$ of a certain tract of land particularly described as follows: Commencing at a point 5 and $1/3$ rods North of the SE corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 25, Township 27, N. R. 3 E of W.M.; thence running North 5 and $1/3$ rods; thence at left angles West 30 rods; thence at left angles South 5 and $1/3$ rods; thence at left angles East 30 rods to the place of beginning, excepting 15 feet on the West side of said tract used for street purposes, said tract containing $\frac{1}{2}$ acre more or less.

situated in Snohomish County, Washington, is fully paid, satisfied and discharged.

Ack. February 6, 1922, before S. F. Street, Notary Public in and for Washington, residing at Edmonds, Washington.

(Seal, Com. Ex. Nov. 19, 1923.)

sheet no. 90

Inst. No. 41

O. C. Sorensen,

to

P. E. Bacon and Susie Bacon.

Office No. 168.

Release

Dated Sept. 29th, 1924.

Filed Nov. 10, 1924, 8:17 A.M.

Vol. 145 Mortgages, page 225.

Consideration \$-

Certifies that a mortgage executed by Second Party to First Party herein to secure the payment of \$400.00 dated September 29, 1919, and recorded in Vol. 105 Mortgages, page 623, records of Snohomish County, Washington, and describes lands as:-

The $W\frac{1}{2}$ of a certain tract of land particularly described as follows:- Commencing at a point $5\frac{1}{3}$ rods North of the SE corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 25, Township 27, N. R. 3 E.W.M., thence running North $5\frac{1}{3}$ rods; thence at left angles West 30 rods; thence at left angles South $5\frac{1}{3}$ rods; thence at left angles East 30 rods to the place of beginning, except 15 feet on the West side of said Tract used for street purposes, said tract containing $\frac{1}{2}$ acre, more or less, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging.

situated in Snohomish County, Washington, is fully paid, satisfied and discharged.

Ack. September 29th, 1924, before Geo. E. Hansen, Notary Public in and for Washington, residing at Edmonds.

sheet no. 91 (Seal, Com. Ex. Dec. 7, 1926.)

---Certificate of Continuation---

We hereby certify that we have added to the foregoing abstract of title instruments numbered 34 to 44 consisting of 28 sheets, and the same shows all instruments filed or recorded in the office of the County Auditor of Snohomish County, Washington, and all proceedings had in any Court of record holding terms in said County, affecting the title to the following described real property, to-wit:

The West half of, Commencing at the southeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 25, Township Twenty-Seven, North of Range Three East of the Willamette Meridian; thence north along the east line of said 40 acres for 5 $\frac{1}{3}$ rods; thence west at left angles to said east line 30 rods; thence north at right angles for a distance of 5 $\frac{1}{3}$ rods, thence east at right angles for a distance of 30 rods to the east line of said 40 acres, thence south on said east line 5 $\frac{1}{3}$ rods to true place of beginning, less and except 15 feet off of the west side, situate in Snohomish County, Washington.

We further certify that there are no unsatisfied judgments entered against any grantee named in the within abstract affecting the title to the said property, as shown by the judgment indices of the Superior Court of the State of Washington, in and for Snohomish County, since October 23, 1918, at 8 o'clock A.M., to date of this certificate.

We further certify that there are no taxes coming due on said premises, or unredeemed sales thereof for delinquent taxes shown by the official tax rolls of said County in the office of the Treasurer thereof, since October 23, 1918, at 8 o'clock A.M., to date of this certificate

(Except personal taxes due or to become due for the year 1928.)

We do not certify as to any taxes or assessments for local improvements on said property shown by the records of the city of Edmonds.

All since the date of the last preceding certificate, to-wit: October 23, 1918, 8 o'clock A.M., to and including this Twenty-ninth (29th), day of June, Nineteen Hundred and Twenty-eight (1928), at eight (8) o'clock A.M.

ANDERSON GUARANTEE ABSTRACT CO.

By Robert Anderson

2C 420

92

Instrument No. 42

P. E. Bacon and Susie Bacon,
his wife

to

State Bank of Edmonds of Edmonds
Washington

File No. 430440

R. E. Mortgage

Dated July 3, 1928

Filed July 5, 1928

Consideration, \$1200.00

Rec. Vol. 166 M 221

First parties mortgage to second party the following described
real property situate in Snohomish County, Washington

The $W\frac{1}{2}$ of a certain tract of land particularly described as
follows: Commencing at a point 5 and $\frac{1}{3}$ rods north of the SE
corner of the $NW\frac{1}{4}$ of the $NW\frac{1}{4}$ of Section 25 Township 27 N. R. 3
East W. M. thence running north 5 and $\frac{1}{3}$ rods; thence at left
angles west 30 rods; thence at left angles south 5 and $\frac{1}{3}$ rods;
thence at left angles east 30 rods to the place of beginning,
excepting 15 feet on the west side of said tract used for street
purposes, said tract containing $\frac{1}{2}$ acre, more or less.

to secure the payment of \$1200.00 as per the terms of a note for
said amount of even date herewith due 6 months after date bearing
interest at the rate of 8% per annum until due and 12% per annum
after maturity. Interest payable quarterly.

Reasonable attorney's fee

Provides for \$1200 fire insurance

Consent to personal deficiency judgment.

P. E. Bacon

Susie Bacon

Acknowledged July 3, 1928 by P. E. Bacon and Susie Bacon, his
wife, before Geo. E. Hanson, Notary Public for the State of Wash-
ington, residing at Edmonds. (N.P.Seal)

~~The within mortgage paid Jan. 7 1930~~

~~and satisfaction hereby acknowledged~~

~~State Bank of Edmonds~~

~~H.V. Allen, Cashier~~

~~John Haugen~~

~~County Auditor~~

~~By J. C. Wilcox~~

~~Deputy~~

Instrument No. 43

File No. 554175
Certificate of Water Right

Dated March 11, 1935
Filed March 12, 1935
Rec. Vol. 269 D 600

This is to certify that A. N. Graves of Edmonds, State of Washington has made proof to the satisfaction of the State Supervisor of Hydraulics of Washington of a right to the use of the waters of Unnamed stream a tributary of Puget Sound for the purposes of Irrigation and domestic purposes under Appropriation Permit No. 1044 issued by the State Supervisor of Hydraulics, and that said right to the use of said waters has been perfected in accordance with the laws of Washington and is hereby confirmed by the State Supervisor of Hydraulics of Washington and entered of record in Vol. 2 at page 856, on the 11th day of March, 1935, that the right hereby confirmed dates from August 16th 1927, that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.05 cubic feet per second.

A description of the lands under such right and to which the water hereby confirmed is appurtenant, or if for other purposes, the place where such water is put to beneficial use is as follows:

Place of Use	Legal subdivision	No. Acres described in permit	No. acres actually irrigated
Sec. Twp. Range			
25 27 3 E.W.M.	NW $\frac{1}{4}$ of NW $\frac{1}{4}$	2.1	2.1

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Section 39 Chapter 117, Session Laws 1917.

Witness the seal and signature of the State Supervisor of Hydraulics affixed this 11th day of March 1935.

Chas. J. Bartholet
(Seal of Department of State Supervisor of Hydraulics
Con & Deb. State of Washington)

STATE OF WASHINGTON
SS
COUNTY OF SNOHOMISH

The SNOHOMISH COUNTY ABSTRACT COMPANY, a corporation, hereby certifies that it has added to the foregoing Abstract of Title, instruments numbered forty-two (42) and forty-three (43) and that the same are the only instruments which have been filed for record in the office of the Auditor of Snohomish County, Washington, since the date of the last preceding certificate hereto, to-wit: since June 29, 1928 at eight o'clock a. m., affecting the title to the following described real property, to-wit:

That portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 27 North, Range 3 East W. M., described as follows:

Beginning at the southeast corner of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence north 5 $\frac{1}{3}$ rods; thence west 30 rods to the true place of beginning; thence north 5 $\frac{1}{3}$ rods; thence east 15 rods; thence south 5 $\frac{1}{3}$ rods; thence west 15 rods to the place of beginning;

EXCEPT the west 15 feet for road.

ALSO, that as shown by the indices to the records in the office of the Clerk of said Snohomish County there are no suits pending or judgments entered in any Court of Record in said County against P. E. Bacon, Susie Bacon, which are liens upon or affect the title to said above described real property.

ALSO, that as shown by the judgment dockets of the United States District Court for the Western District of Washington holding terms at Seattle, Tacoma and Bellingham there are no unsatisfied judgments or verdicts entered within six years immediately preceding the date of this certificate and ending 48 hours prior to the date thereof against the above named parties.

ALSO, that as shown by the official tax rolls in the office of the Treasurer of said Snohomish County the general taxes on said above described real property are paid in full up to and including those for the year 1942.

We do not certify as to any special assessments levied by the Town of Edmonds.

Said abstract does not include an examination of, or a report on matters relating to building and zoning ordinances or resolutions except as specifically shown therein.

(cont'd)



No. 10636
Sheet #2

IN WITNESS WHEREOF, said SNOHOMISH COUNTY ABSTRACT COMPANY has caused this certificate to be signed by its Manager and its corporate seal to be hereto affixed this sixteenth (16th) day of July, nineteen hundred forty-two (1942) at eight (8:00) o'clock a. m.

SNOHOMISH COUNTY ABSTRACT COMPANY

BY E. A. Strong
Asst. Manager



Sheet No.

No. 10636

Abstract of Title
To

Portion of NW 1/4 of NW 1/4

See 25 JWD 27 N.R. 3 E.V.M.

SNOHOMISH COUNTY, WASHINGTON

From the Office of

**Snohomish County
Abstract Company**

2915 Wetmore Avenue
(Near Court House)

Everett, Washington

This Company is Agent for

Washington Title Insurance Co.

Assets Over a Million Dollars

\$200,000 Guaranty Fund Deposited with State Treasurer

S. J. PRIER, MFR., EVERETT